

Leigh Ann Napoli

From: Jim Galantino <Jgalantino@linwoodcity.org>
Sent: Wednesday, March 31, 2021 8:12 AM
To: Leigh Napoli
Subject: Fwd: Lowry Tree Cutting
Attachments: Picture (Device Independent Bitmap) 1.jpg; Untitled attachment 00019.html; 210 E Seaview Ave Restoration Plan.pdf; Untitled attachment 00022.html

Sent from my iPhone

Begin forwarded message:

From: Steve Hauck <steve@sjhauck.com>
Date: March 31, 2021 at 7:57:51 AM EDT
To: jgalantino@linwoodcity.org
Subject: Lowry Tree Cutting

Jim,

Below is a explanation of the series of events that took place on my property regarding the destruction of the wooded area on 210 E Seaview Ave.

On December 6th Rob Lowry came to my house and spoke with my wife about how he was going to clean up the area around the fence that separates our property. there was considerable overgrowth that was over the fence and onto his property. My wife agreed that this area along the fence should be cleaned up and a new fence put in. three days later I came home from work and was shocked to see that over 5,000 square feet of my property had been destroyed. Native cherry trees that were well over 50 years old were cut down, trees that were over 85ft from the property line cut down, trees that were surrounded by grass areas standing alone by themselves. The stumps are still in the ground. It was devastating.

I called Rob and expressed my concerns and he apologized and said he would make it right. He said he did not know his contractor was going to clear that much. I met him on site that Saturday, and all though it was very clear his motive to clear the trees was to make for a better view, I was not concerned with his motive as much as I was to just make it right and move on. We agreed he would install and pay for a new fence, 16 new trees and arborvitaes along the perimeter of the fence. Although this does not replace mature trees, the wildlife that lived there, and the privacy those trees gave, it was a solution to the issue and allowed all of us to move on.

My neighbor, Junetta, helped me draft a restoration plan memorializing what we agreed upon and I sent it to him (copy attached). He then did not respond. I called multiple times, texted him and no response. after about two weeks of no response, I had my attorney send a letter demanding an answer. I was completely blown away by the response I received. Rob's brother, Tim Lowry is an attorney. They sent me one of the most offensive, aggressive, dishonest letters I have ever received. Amongst all of the horrible things in the letter, it stated I gave them permission to cut all of my trees down, that I was trying to commit insurance fraud, that they were going to sue me for not paying him to cut the trees down. It then went on to say how my immoral character and reprehensible behavior will not hold up against Lowry's word in court. Basically it was my word against his word and he is a better person than me.

His angle on why I am a "bad person" is because of my past. When I was a teenager and young adult I had an alcohol and substance abuse problem and got in a lot of trouble. I am not proud of this, but it is my story. I have been sober for over 11 years now (since I was 23 years old) and have been a productive, contributing member of society since then. Quite frankly, the bottom I hit made me realize how important my life is and how I did not want to throw it away. It gave me the determination to live a good productive, value driven life.

He went on to say that if I were to sue him he would take depositions of all my neighbors and tell them about my past (as if this is supposed to scare me). He would paint a picture how I am nothing but a fraud. Tim Lowry also told my attorney that he will be representing his brother, Rob, for free and will make sure he does all that he can to run my attorney fees to an exorbitant amount. I have to admit this became pretty painful for me and my wife. I analyzed the situation and realized that there was no real way at this point to recoup my damages or make right with my new neighbor. So, I have done nothing since except plan out how I am going to restore my damaged property by myself.

My neighbors on Seaview Ave are also pretty upset about this. They all knew my plan was to keep the area wooded. It all really started to make sense to us on why he would cut the trees down when he submitted for a variance to subdivide the lot. It just so happens the trees are directly behind the lot he tried to subdivide to sell. Clearly a better view for this lot would make it more sellable.

I have the attorney letters that show the bombastic tone that I describe above.

Thank you for showing concern about this issue. I am available anytime to discuss this matter further.

Steven Hauck
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