

Email May 18

Dear Travis Bistodeau,

Thank you for providing me with a copy of the application for a variance that my neighbor sent to you last October. I have reviewed it, and there are several comments that I would like to make, in hope that, when you talk to Mr. Ubl, it will be clear why I object to the height and/or placement of the fence that they installed last autumn.

First of all, I did not remove the original privacy fence though I did request that the Clemens' do so. Before I bought my house at 60 Orme Court, I had the lot surveyed and found that Clemens' fence had been installed entirely within my property line. As a condition of my buying the property, the seller to me had the Clemens' sign a document agreeing to remove the fence at my request. I made that request last summer, and they removed the previous fence. I should add that that fence was about 6 feet tall, but, because the property line is at the highest elevation of either of our lots, the sight line provided both of us plenty of privacy. The Clemens' did not want to remove it, but they did so in compliance with document signed in 2010.

Clemens states that the terrain required the new fence to be built "down the hill", and must be taller to provide them with their privacy. She drew lines on the photographs she sent to you purporting to show that the lot line was, in fact, "down the hill". Her lines, actually, look to be drawn 4-6' within their property line; this is her effort to demonstrate the lower elevation at which the new fence needed to be installed. Their lot line is, in fact, at the top of the hill, not "down the hill". Surveyor stakes remain on the lot line at this time.

When they had the new fence installed, they did so right on the lot line (maybe even a bit over), at an elevation within inches of the original fence. A fence of up to 7' would have provided more privacy than they enjoyed previously. As built, the new fence is as high as 7'9" in places.

I believe that Clemens misrepresented, to The D.S.I., their need for a height variance on the new fence.

I request that The D.S.I. cause the new fence either be lowered to not taller than 7', or that the fence be removed and installed at a lower elevation. If removed and reinstalled, I request that someone visit the site, take a careful look, and confirm the actual height that the fence must be in order to achieve privacy for Clemens. I suspect that 8' may, very well, be taller than is needed to provide privacy. I would like to be present if that visit takes place.

I trust that this letter will be given your consideration, and that you will understand what has transpired here. If you have any questions, please contact me. If any site visits are to be made , please include me. And please provide me with progress reports and outcomes.

Sincerely and thank you,

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