

From: Debbie Tonneson [<mailto:debbietonneson@icloud.com>]

Sent: Wednesday, September 9, 2020 1:10 PM

To: Philip Hannawalt <phannawalt@highlands-ny.gov>; Bruce Terwilliger <bterwilliger@highlands-ny.gov>; Lesley Peterson <lpeterson@highlands-ny.gov>

Subject: For ZBA Kopald #2 File

*Another Finkbinder error:

This rusty pipe on the triangle lot 20-2-7.2 was installed by the Town of Highlands Highway Department decades ago, long before the Tonnesons purchased it as an entry point through the right of way on 20-2-6.

Michael Finkbinder implies that the Tonneson's installed it themselves when he trespassed on our property in December 2019 and again in January 2020 For illegally surveillance With prior permission.

It did cause erosion problems when Sue and Ned Kopald owned, nor does it cause erosion problems now.

*It most definitely does not cause any problems or create standing for Deborah Kopald!



aso F.M. 2379
Tax ID #: 20-2-4.1

the lands now or formerly of
David Tonneson, Deborah Tonneson
and Jaidin Paisley Tonneson
Liber 1774 at Page 924
apo Lot 9 aso F.M. 2379
Tax ID #: 20-2-7.2

Forest
(R.O.W.)

Road
width 50'

Hill

the lands now or formerly of
Canterbury Forest Corp
Liber 1774 at Page 924
Lot 10 aso F.M. 2379
Tax ID #: 20-2-6

boulder
retaining
wall

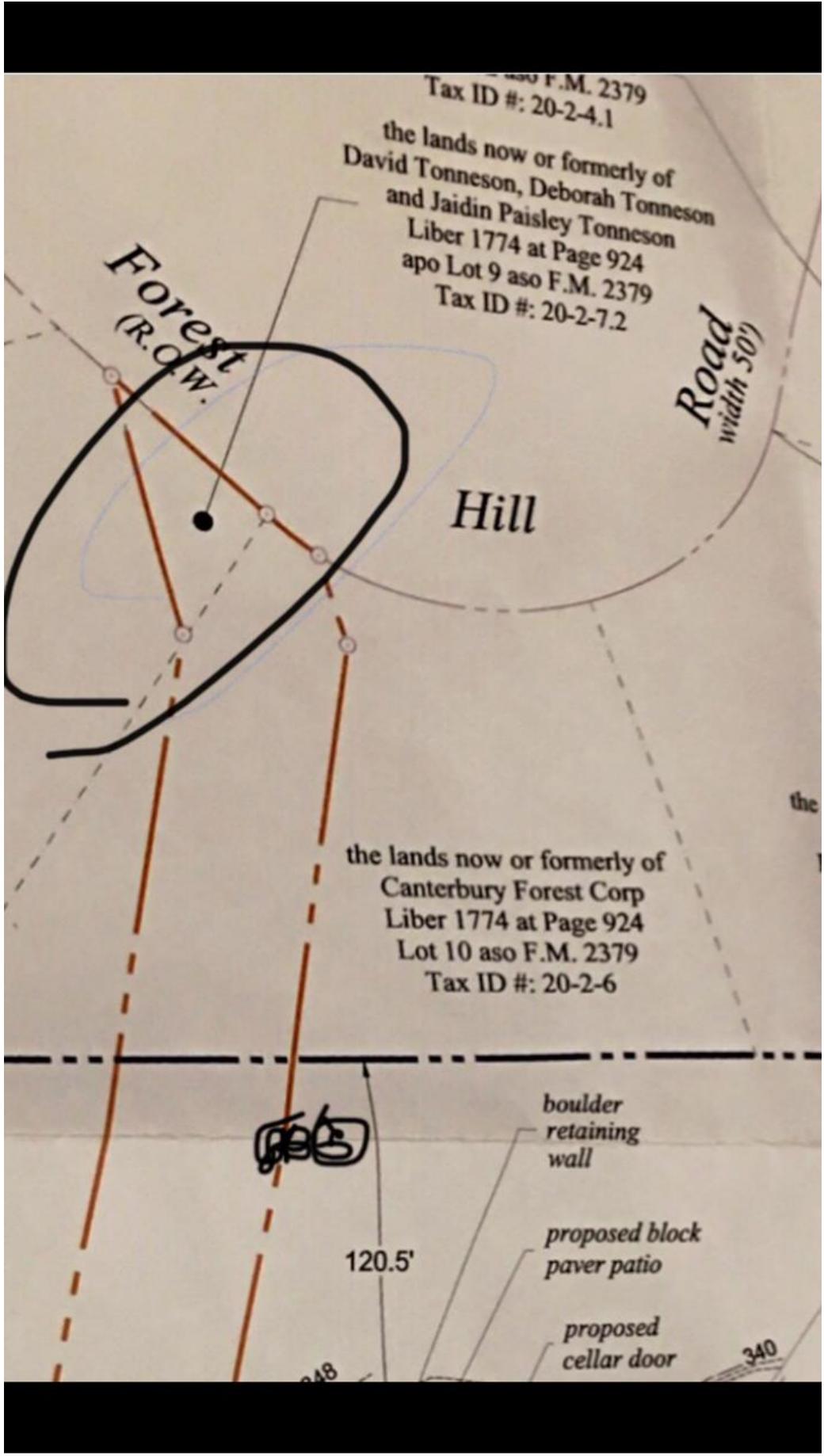
proposed block
paver patio

proposed
cellar door

120.5'

248

340



AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) SS:
COUNTY OF WESTCHESTER)

I, Michael W. Finkbeiner, being duly sworn, deposes and states:

- Exhibit 1 attached is my Methodology for location and diameter of cut stumps on Property of Canterbury Forest Corporation, 20-2-6, with timber trespass sub-exhibits. The salient point in this exhibit that applies to the tree analysis in the affidavits of Michael W. Finkbeiner of December 21st, 2019 and November 2nd, 2019, and January 24th, 2020 is that the method to determine width of trees cut with aerial shadow analysis corresponds to calculations taken on the ground. With regard to the tree survey of 11-1-1.52 the subject property in this proceeding, where I was only able to perform aerial shadow analysis, the analysis on the adjacent Canterbury Forest lot that involved both aerial shadow analysis and on the ground measurements provided the same result. It can be inferred that my analysis that 42 trees greater than 10 DBH cut on the 11-1-1.52 is accurate in the sense that at least that many trees were in fact cut. However, the limitation of aerial analysis is that if shadows overlay other shadows, those trees won't be captured. In other words, Tonneson cut at least 42 trees greater than 10 DBH on the 11-1-1.52, but possibly more.
- Furthermore, significant erosion damage without any control was suffered on land of Canterbury Forest Corp., 20-2-6, by a culvert directing storm water through Tonneson's lot 20-2-7.2, which discharges into a rutted roadway on 20-2-6 and 11-1-1.52 disturbed by Tonneson's tree trespass on 20-2-6. The ensuing runoff flows onto 11-1-1.52 without controls for erosion and sedimentation.

Michael W Finkbeiner

Michael W. Finkbeiner, LLS

Sworn to before me this
MWF 23rd day of January 2020
24th

[Signature]
Notary Public

NOELIA B. CANDELARIA
Notary Public - State of New York
ID No. 01CA8145126
Qualified in County of Brocton
My Commission Expires *5/1/2025*