

7/25/2022

**Village of Mamaroneck Tree Committee
28 July 2022 Agenda**

***Approval of the June 23, 2022 Minutes** (*Attachment 1*)

***Comments from Residents** (*Please limit in-person comments to 3 minutes*)

***Correspondence**

- 130 Beach, Implicit Bias, BROW, and other matters (*Attachment 2*)
- 130 Beach regarding 1044 Cove Road Building Permit (*Attachment 3*)
- 629 The Fairway regarding replacement trees (*Attachment 4*)
- 1505 Stoneybrook regarding dispute about replanting requirement (*Attachment 5*)
- 822 The Parkway, Thank you (*Attachment 6*)

***Old Business**

Maintenance, Removal, or Evaluation *Please provide street numbers when reporting tree-related issues*

- VOM maintenance pruning plan
- Mulch maintenance around ROW trees (*Attachment 7*)
- 400 Orienta tree roots disrupting sidewalk (*June agenda*)
- Orienta @ Sylvan (*Attachment 8*)
- 430 Orienta pine tree cluster (*Attachment 9*)
- 935 The Parkway, Sudden Death (*Attachment 10*)
- 511 Prospect, **treatment for ROW callery pear** (*Attachment 11*)

Public and Private Tree Removals, Applications, Violations

- List (*Attachment 12*)
- 515 Prospect, ROW tree topped (*Attachment 13*)
- 1040 Nautilus Permit Appeal (*Attachment 14*)
- 705 The Parkway, removal without permit (*Attachment 15*)

Tree Law

- Permit to be posted by property owner?
- 515 Prospect, Tree Topped
- 1040 Nautilus Permit Appeal

Tree Nursery update

Tree Tags update

***New Business**

Invasive Pests

- Emerald Ash Borer

- Spotted Lantern Fly (Attachment 16)

Citizen Pruners Workshop – schedule date (Fall)

Heritage Tree List

- Need to prepare list plus nomination procedures
- Gillie's Park Orienta (Attachment -17)

***Other Business** (*committee members please add any items not otherwise included in the agenda*)

***Calendar Notes**

- August -, 2022 – Next meeting; 7:30 pm in person, location TBA
- September 15, 2022 – Online book discussion 7:00 pm, *The Hidden Life of Trees*
- TBA date for field meeting regarding sidewalk interference from tree roots (Knollwood @ Crown Ct)

Attachment 1

Draft June 23, 2022 MINUTES

MINUTES OF MEETING OF THE TREE COMMITTEE HELD REMOTELY ON June 23rd
AT 7:30PM

PRESENT:

Nora Lucas, trustee

Gail Koller, co-chair

Beverley Sherrid, co-chair

Marlene Star

Ellen Axelrod

Arlene Novich, Town of Mamaroneck

1. Call to Order: 7:34PM
2. Approval of May Minutes – Approved
3. Visitor at the meeting - Arlene Novich

Arlene, chairman of the Town of Mamaroneck Sustainability Committee mentioned the map of heritage trees should include estimated age of tree and facts about it. Question was raised if heritage can be on both public and private property.

4. Correspondence:

540 Lawn Terrace –They are so happy with tree received they are requesting two more trees

5. Old Business: Maintenance, Removal, or Evaluation Please provide street numbers when reporting tree-related issues
 - a. 127-139 Highview - tree was added to list of trees to take down
 - b. Palmer Terrace, Palmer Court: multiple trees to be pruned- Gail will give update on Palmer Terrace pruning list

Public and Private Tree Removals & Applications –

- List of Tree approved and denied removals was provided. Removing private trees requires ROW and permit application
- Top of Ridge Redevelopment – awaiting permit for redevelopment to take down trees. Two large trees may be requested to be taken down and they may be protected. require permit.

ConEd Underground Wires

- Research on effects of bad pruning

- Looking to provide documents with scientific information on the impact of bad pruning regarding disease and decay of trees.

Tree Law – Replacement Planting

- 818 Walton/Almstead – lot size concerns for two replacement trees. Donating trees may be a viable solution. Jerry to inspect planted trees.
- 1505 Stoneybrook – 10 trees were removed due to health and safety issues and owners claims that trees may be too much for the parcel of land. Informed owners that TC is not involved in tree law enforcement. Tom Murphy responded to a letter reiterating the tree law and its importance. Jerry will assess what will be planted and then inspect the plantings.
- Weekend protocol currently is to call the police if there may be an unpermitted removal in process – Jerry advised that permit should be displayed which helps educate the community about the approval process.
- BROW status still unresolved following BOT request to NYS for opinion

j. Tree Nursery update - Location will be Bud Walker Park near I-95. Requirements were discussed. Raised beds and pot sleeves for seedlings. The trees will be young with 1 1/2” caliper and easy to transplant. Will need a watering system. Chicken wire for protection. Coordinate with Renee Crabtree who is the contact for the Community Garden.

6. New Business:

- a. VOM Budget – Was approved on June 1st, 2022, and established a line for maintenance pruning
- b. Library Centennial Tree - A Tupelo tree will be planted in HIP with a plaque. Jeff Ahen, General Forman of VOM Parks, will recommend a good place for the tree.
- c. Citizen Pruners Workshop – Will take place in the October/November time frame. 3 people are already interested. It was mentioned that suckers or dead branches can be pruned at any time of the year.
- d. American Chestnut Seeds - Research is being done to bring back the American Chestnut Tree. It was the dominate tree during the 20th century. Chinese and American chestnuts were

blended to protect trees from the blight which wiped out the American Chestnut. We will try to get seeds for our nursery.

- e. A Book Discussion on *The Hidden Life of Trees* by Peter Wohlleben will be an on-line event hosted by the MPL and led by Beverley Sherrid. It will take place on - Sept 15, 2021 at 7PM via Zoom.
 - f. Heritage Tree List – Process and requirements need to be defined. Scarsdale shared their process which TC will use and modify. A sub-committee was requested to define characteristics: size, caliper, species, nomination process etc. Also mentioned to consider a heritage tree street.
 - g. Financial effects of planting trees around private residences – still pending
 - h. TBA date for field meeting regarding sidewalk interference from tree roots (Knollwood @ Crown Ct) will be re-scheduled
7. **Other Business** - It was mentioned that the Tree Management Plan is outdated. Nora will distribute the final plan to the TC
8. **Calendar Notes:**
- IN PERSON - Next meeting Thursday, July 28th, 2022 at 7:30PM – location TBA
 - September 15, 2022 – Online book discussion 7:00 pm, *The Hidden Life of Trees*
9. ADJOURNED – 8:19 PM

Attachment 2
130 Beach, Implicit Bias, BROW, and other items

Dear Chairs and Members of the Tree Committee,

I am writing to update my last two year's emails about implicit bias in tree planting, planting practices and BROW plantings because the problems persist.

I have the Spring 22 Planting List from your 4/28/22 meeting. I have visited a number of the locations and it is clear this list was not followed. I looked on subsequent agendas for an updated list. I have asked for an accurate list of where trees were planted, anything the TC can do to expedite making it available is appreciated.

Beyond Right of Way (BROW) Plantings

For the new TC members who aren't aware, in 2018, after spending considerable time and money the Village adopted a Tree Management Plan (TMP) [here](#). In part, the TMP said this about BROW planting -

"Should VOM decide to pursue such a program, the first step is to have the village attorney review the Association of Town's finding that "local municipalities have the authority to enact a local law to provide trees to property owners according to the Municipal Home Rule Law, §10(i)(a)(ii)(12) of the NY Const., Art IX, §2 under their police powers" (Wegener 2014). And then to have the trustees pass a resolution approving such a program."

I don't believe that the first step above has taken place. Without following the above actions, when the Village does BROW planting it is in violation the NY Gift and Loan Clause that prohibits the use of public funds for private benefit.

The 2022 Planting List indicates two BROW plantings, visiting the locations I identified potentially three other BROW plantings.

I am copying the Village Attorney and BOT in case I got this wrong and the Village has met the legal requirements to do BROW plantings.

Implicit Bias in tree planting

Almost all scheduled street tree planting locations are again in the most affluent Village neighborhoods, almost half of them in Orienta. Over the last ten years over a hundred trees have been planted in the Shore Acres and Orienta and almost none in the Mamaroneck Avenue School neighborhood and other less affluent, underserved neighborhoods.

Tree Sizes

The Planting list again calls for more small trees than large trees. I believe the TC is aware that small trees provide negligible environmental benefits compared to large trees and do little to increase tree canopy coverage. One of the co-chairs wrote resident "We are always looking for large tree [planting] opportunities." There is no shortage of locations in the ROW for large trees, there are dozens in the Mamaroneck Avenue School neighborhood, dozens along Raleigh Road as well as elsewhere.

Here are few observations about the Spring 22 list

The list calls for four large trees to be planted at 1055 Nine Acres Lane however none of them were planted, It appears that two small trees were planted instead.

The BROW planting at 1508 Raleigh Road called for and a small tree was planted. There are no overhead wires on that side of the street.

The planting at 1346 Raleigh called for and two small trees were planted. There are no overhead wires on that side of the street.

The planting at 141 Saxon Drive called for and a small tree was planted. There are no overhead wires on that side of the street.

Six opportunities missed.

Tree Placement

The Planting List called for two London Plane trees to be planted 25' apart at 536 Orienta Avenue. Below in an image of the two trees.

This is what the Tree Management Plan says about the spacing of trees.

Planting Specifications. VOMTC has created guidelines for tree plantings that were approved by the village trustees in 2010 as an addendum to Code 318-7. This guideline follows:

- No trees that mature at a height greater than 30 feet are to be planted below Con Edison distribution lines.
- Trees that mature at less than 40 feet shall be planted at least 30 feet from any adjacent tree.
- **Trees that mature at more than 40 feet shall be planted at least 40 feet from any adjacent tree.**

The same guidelines are linked to on the TC's webpage. It is hard to understand why these two trees were scheduled to be planted as they are.

London Plane trees are giant trees growing to 100 feet tall and 60-80 feet wide. If anyone has any doubts please take a walk by the two giant London Planes in the triangle at Orienta and Old Post Road, they are planted 70' apart. Planting tree too close creates future disease and maintenance issues as the tree mature and conflict with each other.

The Planting Specifications adopted by the TC and the BOT years ago are common sense and should be followed.

The Tree Management Plan similarly contains important information for guiding the TC's work.

Sincerely,

Stuart Tiekert



Attachment 3
130 Beach, Questions Regarding Building Permit at 1044 Cove Road South

Dear Mr. Tivolacci,

Thank you for the response but you mostly addressed issues that I didn't raise.

I never mentioned the Planning Board or suggested they review this application.

I didn't raise an issue about a buffer to the CEA, I raised the issue about the Wetland's buffer.

I didn't raise any issue about the height of the retaining wall.

The plan schedules the tree for removal, that will certainly impact it's health. The question is, why was it scheduled for removal?

I don't consider an architect demarcating a wetlands line on a set of unsigned, unsealed plans proof of anything nor do I think you should.

I don't think it is appropriate that the applicant's engineer makes the determination on whether a consistency review is necessary.

I think we can agree that the BAR has little knowledge about environmental issues, no one should expect them to. If I had not flagged this application why would any of the other land use boards even have received it?

What you didn't address was the main point of my email which was why such an incomplete, inaccurate application for a project to construct 300+ feet of retaining walls in a regulatory wetland and adjacent to a CEA sent to the BAR without a consistency review? Where are the checks and balances that would have prevented that.

I believe you should consider reviewing the Building Departments procedures on vetting applications.

Sincerely,

Stuart Tiekert
Frank Tivolacci
Mon 6/27/2022 11:57 AM

.....

Stuart. Items in your email are always addressed when appropriate. This application was changed on May 18,2022 in the following manner: The height of the wall was reduced to six feet to eliminate a variance from the zoning board. A demarcation line was shown on the site plan to prove that the proposed improvements are not in the wetlands. The design engineer is researching the Buffer question you raised near a critical environmental area and need for HZCM review. The property survey shows that it is less than ½ an acre eliminating the need to appear at Planning but will need a SWPPP. A tree permit will be obtained if the work impacts the health of the tree. Although I don't recommend this, you can re-FOIL if you think it is still necessary.

If the Building Department makes errors in the determination letters , it welcomes input from the various boards to vet what boards should review. It is our version of checks and balances.

Sincerely

Frank Tivolacci

Building Inspector
.....

On Jun 27, 2022, at 5:50 AM, stuart tiekert <tiেকerts@yahoo.com> wrote:

Dear Mr. Tivolacci

I am writing because I see there was an application for 1044 Cove Road South before the BAR last week for "Rear yard regrading and construct walls and staircase."

I have looked at the records provided to the BAR and responses to a number of FOIL request I submitted.

After reviewing the available materials I believe there are questions about why this application was placed on the BAR agenda.

Building Permit Application

Please see the attached Building Permit application for the work I received through FOIL and note that the following defects:

- #2 of the REQUIREMENTS FOR FILING A BUILDING PERMIT states "For all construction with an estimated cost of \$20,000 or more two (2) sets of architectural plans STAMPED BY A Certified Architect.....are required." AND "All projects that are in front of Any Board Require Require Stamped Plans". The plans on the BAR agenda are **NOT stamped by a Certified Architect.**
- The question in #9, "Is this structure with in the flood plain?" is **unanswered.** The application informs the applicant on this question that "If yes, please file a Flood Development Permit". The proposed

structure, according to the Westchester County GIS mapping, IS entirely in the flood plain. I have been informed through FOIL Request #6384 by the Clerk-Treasurer that the Village has **NO record of a Flood Development**

Permit. <https://giswww.westchestergov.com/taxmaps/default.aspx?sMun=MamaroneckVillage>

- The question in #10 "Is this project within the tidal wetland or buffer?" **is unanswered.** According to the NYSDECInfoLocator the entire property appears to be within the Regulatory Tidal Wetlands Area. <https://gisservices.dec.ny.gov/gis/dil/>
- The question in #12 "Is there a disturbance of land greater than 1,000 square feet?" is answered "YES". The application informs the applicant that "If yes, please file a SWPPP permit per section 294" I have been informed through FOIL request #6382 by the Clerk-Treasurer that the Village has **no record of a SWPPP** for this property.
- The question in #14 is "Do you require any other board approvals." The question **is unanswered.** The application informs the applicant that "If yes please check which boards you require below (sic)". Upon information and belief this application requires a consistency review by the Harbor and Coast Zone Management Commission review.
- Part 2 and 3 of the Short Environmental Assessment Form (EAF) attached to the Building Permit is NOT filled out or signed as required.

It is hard to understand why this application, given how incomplete it is, was even accepted let alone sent to the BAR for approval.

Environmental Review

According to the NYSDECInfoLocator <https://gisservices.dec.ny.gov/gis/dil/> **the proposed work is in a Regulatory Tidal Wetlands Area (RTWA) and adjoins a Critical Environmental Area (CEA).** The Environmental Assessment Form (EAF) asks the question "Is the site of the proposed action in, or does it adjoin, a state listed Critical Environmental Area?" However, the applicant has answered "NO" to question #7 on the EAF. That answer appears to be incorrect. I believe its location in the RTWA and adjoining the CEA require a Coastal Assessment Form to be submitted and review by the HCZMC.

The unsigned and unsealed architectural plans carries the following note for the PROPOSED LAWN AREA "PROPOSED GRADE Grade 0'-0" A.F.F. TYP. SLOPE TO DRAIN AS PER CIVIL ENGINEERING DRAWINGS". It is difficult to understand this note given that the common meaning of "A.F.F." is "Above Finished Floor" and that in response to FOIL request #6381 the Clerk-Treasurer has informed me that the Village has **NO record of Civil Engineering plans for this property.** Without Civil Engineering plans it is impossible to determine how the current yard with its 18% slope will be regraded.

Trees

The unsigned and unsealed architectural plans show a 22" "EXIST. TREE TO BE REMOVED". The tree appears to be healthy in the photos provided. The tree does not appear to conflict with any construction elements and appears so it is hard to understand why it is being removed.

If this application was approved by the BAR but is **lacking** the required **certified architectural plans, civil engineering plans, Flood Development Permit, Coastal Assessment Form** and **consistency review by the HCZMC** I urge you to withhold issuing a building permit until all defects have been cured.

Sincerely,

Stuart Tiekert

Attachment 4
629 The Fairway regarding replacement trees

Hi Beverley,

Just following up, apologies for the late response.

Would to chat when you can, ideally, we would plant 2-3 trees in the front lawn. We really like the flowering Cherries and/or dogwoods.

Again, happy to chat, when you can.

Best,
Sean

.....

Beverley Sherrid
Mon 5/16/2022 3:12 PM
Hi Sean,

I drove by your house today, sorry it took so long. There will be several more chances for us to talk about what you want & need, we won't be planting until next fall and I always make several trips to the sites.

I saw the stump. It must have been a spectacular tree. I will try to have it ground out before we plant in the fall. Your only wires are near that corner, we would have to put a small (at maturity) tree if we use the same location. On the other hand, you have great space for another large tree along the rest of the Right of Way. We are always looking for large tree opportunities.

I will be in touch in the summer and you can give me your thoughts about location, size, and, within the Village constraints, species. We really do want people to like their trees.

Beverley

.....

sean reilly <sereilly@hotmail.com>
Sat 5/7/2022 10:38 AM
Hi Beverly,

Thanks for the email.

When you have had chance to stop by the property and identify any potential constraints please let us know. We would like the opportunity to have some input to the extent possible.

Please note the stump has not been removed yet.

Best,

Sean

.....

On May 6, 2022, at 6:36 PM, Beverley Sherrid <bsherrid@optonline.net> wrote:

Hi Sean,

I am co-chair of the Village Tree Committee. We will be planting more trees in the fall and I will add your address to our list of requests. In the meantime, I'll take a look at your property to see whether it is suitable for a tall (at maturity) or small tree. Constraints might include ConEd overhead wires, the size of the Right of Way planting strip, etc. We try to plant native trees as much as possible although it's not an exclusive rule. We generally identify several tall and several small species each time we plant. I can go over the possibilities with you when we have that list.

Has the stump of the old tree been removed yet?

Thanks for getting in touch. If you have any questions, please use my bsherrid@vomny.net address.

Attachment 5
1505 Stoneybrook regarding dispute about permit and replanting requirement

Dear Mr.Barberio,

In response to your email of July 6, 2022 we would like to inform you that we want the diseased dangerous tree taken down as soon as possible to help ensure the health, safety and wellbeing of our family who lives there and also that of neighbors and friends. It includes protecting the house and property and that of any surrounding properties which could be affected if the tree or branches were to fall. In addition, as the tree continues to deteriorate the dangers involved in cutting it down continue to escalate making it more difficult and dangerous and expensive.

We would like to know what "full compliance with the prior approval means before the application is considered." see below

We are asking the Board of Trustees to consider revising (changing, amending, etc) the Tree Law (as it applies to trees on private property) requirements involved in having to buy, plant and maintain trees as a consequence for removing dangerous trees. WE BELIEVE THIS IS WRONG! In addition much of our land is somewhat less than arable -- extremely rocky for planting desirable trees. Deer are everywhere...they not only eat new tree stock but they also rub their antlers which can destroy or damage the trees.

We believe the Tree Committee has good intentions but do not agree with the portion as described above dealing with trees on private property.

Thank you for your consideration.

Carol & Henry Miller

Attachment 6
822 The Parkway Thank You

Hi Jeff and Jerry,

I'm sure you don't get thanked often enough. Here's the email I just received from Stephanie Laffont, the resident at 822 The Parkway, where a nearly dead tree was just taken down.

In addition to this email, her husband ran out of the house while I was walking by and thanked me over and over. He said the guys were very professional and careful and completely protected the small oak growing nearby. A small oak that is going to be a magnificent street tree in a few years.

Thank you!
Beverley

Beverley Sherrid
Mon 7/11/2022 11:54 AM
Hi Stephanie,

Thanks for letting me know! Joe came out and said **the** same while I was walking a little while ago. We often don't get positive feedback so this feels really good. I'm going to share your email with **the** Parks Dept. guys, **they** REALLY never hear **the** good things.

And I am so glad you are planting and tending your trees. I did a whole presentation about how much we need people to care for **the** trees on **their** own property.

Enjoy **the** summer. I remember you're going away in August, have fun!
Beverley

Stephanie Laffont <slaffont@icloud.com>
Mon 7/11/2022 9:38 AM

Dear Beverly,

Really great News!

The dead tree in front of our house at **822 The Parkway** has been removed.

We were so glad to see it responsibly taken down.

Now it is no longer an accident waiting to happen.

We are sad it didn't make it but we will do our utmost to cherish **the** trees that are alive.

We have planted 4 trees on our property in **the** short 3 years we have lived here.

What I am **the** most proud of is : **the** magnolia Grandiflora in our back yard was very unhealthy

when we moved in. Now its doing really well and its all because my husband Joe took care of it, fed it, watered it, and rinsed it every day.

I hope to meet you in person someday.

For all **the** work you did to get **the** dead pear removed, I thank you from **the** bottom of my heart.

Have a great rest of your summer,

Stephanie Laffont Urla

Attachment 7
Mulch Maintenance on ROW Trees

Hi Jerry,

I have a couple of questions about 4 trees near 346 Richbell Road that have mulch piled as high as 8" up against the trunks.

- Who planted these trees?
- Who can properly distribute the mulch so that it is not touching the tree trunks?

Best,
Gail

.....

Hi good morning

Village planted the four trees 2 years ago, and the landscapers who take care of the building on rich bell put mulch there.

We will make it right this week

Thanks
Jeff



Attachment 8
Oriental & Sylvan, Dead & Leaning Tree



Attachment 9
430 Orienta Pine Trees for Assessment

Hi Jerry,

I received an email from Alice Marvillet regarding a dead pine at Orienta Avenue and Sylvan Lane. I went there this morning and found a white maple that is dead above the ground, but is valiantly pushing up sprouts from its roots. It is between the walkway and the road on Orienta Avenue just across from Sylvan Lane. It should be removed. I will send a separate email with a photo of that dead tree.

I also saw a pine tree on the ROW in the lawn of 430 Orienta Avenue. It has few needles, is bunched together with some weedy trees, and they are all leaning over the service road at the the intersect by Sylvan Avenue. Photo below. Can you please assess this clump of trees for safety?

Thanks so much.

Best,
Gail



Attachment 10
935 The Parkway, Sudden Death

From: Beverley <bsherrid@optonline.net>

Subject: 935 the parkway

Date: July 11, 2022 at 11:09:44 AM EDT

To: Jeff Ahne <jahne@vomny.org>, Jerry Barberio <jbarberio@vomny.org>

Cc: Gail Koller <GKoller@vomny.net>, bsherrid@vomny.org

As you can see, this tree (maple?) leafed out beautifully this spring. It seems to have died suddenly a few weeks ago.

Would you confirm that it's really dead, not just some strange one-time leaf problem, please? If dead, please add to removal list.

Thank you
Beverley



Attachment 11
511 Prospect, treatment for ROW tree

Can the VOM fertilize and out a gator on it?

Gail

Jerry Barberio

Mon 7/11/2022 10:41 AM

Pear rust. It's a callery pear tree. It's not fatal. A bit of good fertilizer and extra water will help it clean up.

Thank you,

Jerry Barberio

Village Manager

Village of Mamaroneck

On Jul 8, 2022, at 7:55 PM, Gail Koller <gail.koller18@gmail.com> wrote:

I think someone put tape on these branches thinking it would stop the spread of infection. See photo. I'll send another photo separately.

Gail

Attachment 12

Tree Removals

<u>Address</u>	<u>Street</u>	<u>Approved</u>	<u>Denied</u>	<u>VOM</u>	<u>Date</u>
<u>April</u>					
412	N. Barry	X			4/19/2022 dying
412	N. Barry		X		4/19/2022 not hazardous
818	Walton		X		4/20/2022 black cherry, resubmitted wi/ report
555	Alda	X			4/20/2022 storm damage, fallen
331	Stanley			ROW	4/20/2022 storm damage
102	Fairway Green				4/11/2022 violation
536	Orenta	X		ROW	4/6/2022 hazardous, replace with 2 trees
539	Fairview	X			4/6/2022 replace BROW
1505	Stoneybrook	10	1		4/5/2022 hazardous
1505	Stoneybrook		X		4/5/2022 hazardous
834	Walton	X			4/5/2022 lighening, cracks
1	Pirate's Cove	3			4/5/2022 hazardous
1460	Nelson		X		4/5/2022
739	Bleecker			ROW	4/1/2022 prune 5, remove 3 (photos)
155	Heathcote			private	3/31/2022 hazardous
102	Fairway Green				
1505	Harrison Ave	2		private	1 close to house, 1 decayed
1505	Harrison Ave				
525	Stanley	X		private	3/2/2022 decayed; hazardous
346	Mamaroneck Ave			ROW	4/26/2020 hazardous
<u>May</u>					
346	Florence			private	4/29/2022 refuses to get permit
411	Beach			ROW	5/9/2022
	Lester & Howard	5		ROW	5/10/2022
	Waverly @ Fennimore			ROW	dead tree in tree well

155	Heathcote		X		5/12/2022	
535	Clafin			ROW	5/16/2022	
832	The Parkway		X		5/17/2022	tree damaged by initial attempt to remove without a permit
818	Walton	X			5/24/2022	
1402	Franklin			ROW	5/3/2-22	requested
405	Fourth			ROW	5/23/2022	needs pruning
<u>June</u>						
	Top of the Ridge redevelop.			private	6/1/2022	permit? (resident question)
1417	Stoneybrook			ROW	5/21/2022	healthy, not removed
430	Clafin		X	private	6/2/2022	tree should be pruned
166	Maple			ROW		
400	Orienta			ROW		roots affecting sidewalk
822	The Parkway			ROW		needs inspection
127-139	Highview			ROW		dead tree
	Bud Walker Park			park	6/13/2022	removed fallen tree
1040	Nautilus Lane			NA		PB site plan pre-dates tree law
<u>July</u>						
822	The Parkway			ROW	7/11/2022	dying, hazardous
925	Lester			ROW	6/23/2022	diebck, hazardous
	Orienta @ Sylvan			ROW		Leaning
740	The Parkway			ROW		dead; old removal marking
935	The Parkway			ROW		sudden death
131	Highview			ROW	7/12/2022	dying, hazardous, wires
1417	Stoneybrook			ROW	7/12/2022	hazardous
	Warren Ave Park			park	7/12/2022	4+ dead
1040	Nautilus				7/13/2022	appeal
1251	Flagler		1		7/12/2022	

Attachment 13
515 Prospect, Tree Topped

Hi Jerry,

This could have been a tall tree. There are no wires above it. Leader and branches have been cut. Can a violation be issued if no one was observed doing the cutting?

Best,
Gail



Attachment 14
1040 Nautilus Permit Appeal

Excellent thank you!!

On Jul 13, 2022, at 11:27 AM, Jerry Barberio <jbarberio@vomny.org> wrote:

Hi Michael,

Yes, thanks I did. I have copied Beverley Sherrid who assembles the agendas for the Tree Committee monthly. She is also the Co-Chair.

JB
Jerry Barberio
Village Manager

From: Michael Krafft <mkrafft01@gmail.com>
Sent: Tuesday, July 12, 2022 5:18 PM
To: Jerry Barberio <jbarberio@vomny.org>
Subject: Re: 1040 Nautilus

Hi Jerry -

Hope you had a nice vacation.

Is there any way to confirm whether my tree removal appeal will definitely be on the agenda for the next meeting? I presume so but didnt hear back from TreeCom so just wanted to check.

Thank you!
Michael Krafft
1040 Nautilus

On Tue, Jun 28, 2022 at 6:25 AM Michael Krafft <mkrafft01@gmail.com> wrote:
Hi Jerry and the TreeCom -

Hope everyone is well, for those that don't know me my name is Michael Krafft and I am the new owner at 1040 Nautilus.

With respect to this email thread that Jerry initiated last week based on our request to remove two unsafe trees on my property, please find attached my appeal.

Please let me know if you have any questions or if it would be helpful for me or my wife to attend any live meetings.

Thank you!
Michael
See enclosed

On Thu, Jun 23, 2022 at 9:02 PM Jerry Barberio <jbarberio@vomny.org> wrote:
318-8 (H) Any applicant who has been denied a tree removal permit may appeal to the Village Manager or the Village Manager's designee. The appeal must be submitted in writing to the Village Manager or the Village Manager's designee within 30 days of the determination. In determining an appeal, the Village Manager or the Village Manager's designee may consult a certified arborist selected by the Village Manager or the Village Manager's designee and paid for by the property owner.

Dear TC,

Mr. Krafft from 1040 Nautilus was denied a tree removal permit on June 15, 2022. The appeal process calls for the property owner to appeal to me or my designee. If they appeal in writing, I will designate the Tree Committee who are members of this Village government not appointed by me and hopefully discuss at your next tree committee meeting is July 28, 2022.

To date, I have receive two phone calls from him and one email (below), but as we can see the appeal must be in writing. I spoke to him today and I wanted to send this email to help frame the discussion.

Thanks, JB

Hi Jerry -

Thanks for getting back to me. I have a couple questions regarding this ruling and process, would you mind giving me a call today please? We are headed out of the country for a couple weeks so if there is a chance of calling today I'd really appreciate it. 617-515-9085

*Thank you
Michael Krafft*

Attachment 15
705 The Parkway, Removal Without Permit

Thank you. No tree permit. BD is copied.

Jerry Barberio
Village Manager
Village of Mamaroneck

> On Jul 11, 2022, at 3:05 PM, Courtney Wong <cwong@vomny.org> wrote:
>
> We don't have anything for 705 The Parkway.

On Jul 11, 2022, at 2:04 PM, Beverley Sherrid <BSherrid@vomny.net> wrote:
>
> Jerry,
> I am assuming they didn't have a permit because I don't recall seeing one from you. They've already
> ground out the stump, but the photo with Mark's glasses (6" wide) should give you a way to estimate the
> size.
> Thanks.
> Beverley

Attachment 16
Spotted Lantern Fly In VOM

Hi all,

The SLF trap in Columbus park has not yielded any yet, but it gets worse:

Kyle Troy, Village Naturalist, contacted the office of **NYS Department of Agriculture and Markets | Division of Plant Industry** because of the photo above from 540 Munro:

Kyle Troy

Sun 7/10/2022 12:17 PM

To:

- Formichelli, Michael (AGRICULTURE) <Michael.Formichelli@agriculture.ny.gov>;
- Jerry Barberio;
- Jeff Ahne

Hi Michael, my name is Kyle Troy and I run the Marine Education Center in Mamaroneck. I was on the email from earlier this year about the traps in Columbus Park. **I have a siting at 540 Munro Avenue, Mamaroneck that was brought to my attention today.** I have a picture If you need it. Just thought id let you know. Thank you.

Kyle Troy
Director/Naturalist
Marine Education Center

Attachment 17
Heritage Tree Candidates

Please see attached photo of one of two magnificent London Planes.

Best,
Gail



Tree Permit Application

Address 1040 Nautilus Lane

Applicant Michael Krafft

Contact # 617-515-9085

Staff Instructions

Village Manager Review Needed: yes/no

Contact With Applicant Needed: yes/no

Village Manager Site Visit Needed: yes/no

Notes

Site Visit Completed: _____

Date: _____

Permit Status: **Approved / Denied**



RECEIVED

JUN 07 2022

VILLAGE OF MAMARONECK
BUILDING DEPARTMENT

APPLICATION FOR TREE REMOVAL PERMIT

For activities in accordance with Village Code- Chapter 318

As per Village Code §318 a property owner may remove a tree on non-public property as of right, provided that:

- The tree is removed under an actual or ongoing emergency when such tree removal is necessary for the protection and preservation of life or property, including adjoining parcels. The property owner shall give notice of said removal to the Village as soon as practical.

Section: 9 Block: 112A Lot: 4 Application Date: 6/6/2022
 Property Owner: Name: Michael Krafft Address: 1040 Nautilus Lane, Mamaroneck NY 10543
 City: Mamaroneck State: NY Zip Code: 10543
 Phone: 617 515 9085 Email: mkrafft01@gmail.com

ISA NY-0245A
 Tree Contractor: Name: Evergreen Arborists Inc. Address: 327 Northrop Ave
 City: Mamaroneck State: NY Zip Code: 10543
 Phone: 914 698 0707 Email: earborists@aol.com

For activities that include proposed removal of tree(s) that straddle a property line, the signature from the adjacent/affected property owner acknowledging the application for tree removal(s) shall be included below.

~~Adjacent /Affected Property Owner Signature: _____ Date: _____
 Address: _____ Phone: _____
 ISA Arborist: Name: _____ Address: _____
 City: _____ State: _____ Zip Code: _____
 Phone: _____ Email: _____~~

Description of Project: Removal of one maple and one gum tree

Any land use board determinations in the past 3 years that included an approved landscaping plan or tree preservation plan?

X Yes/No _____

Date of Determination: 1/27/2021 -

Is the proposed tree removal activity located within a freshwater wetland-controlled area? Yes / No

Replacement trees shall be native to the northeast United States, of a genus and species expected to grow to maturity at a similar size to the removed tree. Trees known to be invasive species are excluded for use as replacement trees. Replacement trees shall be selected by the property owner from the Village's list of recommended native trees.

APPLICATION FOR TREE REMOVAL PERMIT—page 2

For activities in accordance with Village Code—Chapter 318

PERMIT # _____
DATE: 6/6/2022

Property Address: 1040 Nautilus Lane

PROPOSED TREE(S) FOR REMOVAL:

Tree #	Botanical or Common Name	DBH (Diameter@ Breast Ht.)	Reason for Removal	Village Comments
	Gum	20"	Safety	
	Red Maple	18", 24"	Safety	

Color photos attached illustrating the existing conditions of the tree(s). Yes No

Additional pages attached including supporting documentation prepared by a tree expert that may provide assessment indicating the condition of dead, dying, diseased or hazardous tree(s). Yes No

For lots less than 14,500 sf	
DBH of tree removed (inches)	Replanting requirement
Under 8 inches	No replanting necessary
8 inches or greater	One 2 to 2 ½ inch DBH tree
For lots 14,500 sf and above:	
Under 8 inches	No replanting necessary
8 to 12 inches	One 2 to 2 ½ inch DBH tree
13 to 25 inches	Two 2 to 2 ½ inch DBH trees
26 inches or greater	Three 2 to 2 ½ inch DBH trees



Basic Tree Risk Assessment Form

Client Kraft Date 06-01-22 Time 1:00pm
 Address/Tree location 1040 Nautilus Lane Tree no. 1 Sheet 1 of 2
 Tree species Red Maple dbh 18" Height 60' Crown spread dia. 30'
 Assessor(s) Chris Neal Time frame 1 Year Tools used Visual

Target Assessment

Target number	Target description	Target zone			Occupancy rate 1 - rare 2 - occasional 3 - frequent 4 - constant	Practical to move target?	Restriction practical?
		Target within drip line	Target within 1 x Ht.	Target within 1.5 x Ht.			
1	House	<input checked="" type="checkbox"/>			3	N	
2	Wires	<input checked="" type="checkbox"/>			4	N	
3	Street	<input checked="" type="checkbox"/>			2	N	
4							

Site Factors

History of failures Multiple branch and crown over last year Topography Flat Slope % Aspect _____
 Site changes None Grade change Site clearing Changed soil hydrology Root cuts Describe _____
 Soil conditions Limited volume Saturated Shallow Compacted Pavement over roots % Describe _____
 Prevailing wind direction SW Common weather Strong winds Ice Snow Heavy rain Describe High winds along coast

Tree Health and Species Profile

Vigor Low Normal High Foliage None (seasonal) None (dead) Normal 95 % Chlorotic 5 % Necrotic _____ %
 Pests _____ Abiotic _____
 Species failure profile Branches Trunk Roots Describe Red Maple has soft wood

Load Factors

Wind exposure Protected Partial Full Wind funneling Relative crown size Small Medium Large
 Crown density Sparse Normal Dense Interior branches Few Normal Dense Vines/Mistletoe/Moss
 Recent or planned change in load factors _____

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown LCR 83 % Cracks Lightning damage
 Dead twigs/branches % overall Max. dia. _____ Codominant Unbalanced codominance _____ Included bark
 Broken/Hangers Number _____ Max. dia. _____ Weak attachments throughout _____ Cavity/Nest hole _____ % circ.
 Over-extended branches Previous branch failures multiple _____ Similar branches present
Pruning history
 Crown cleaned Thinned Raised Dead/Missing bark Cankers/Galls/Burls Sapwood damage/decay
 Reduced Topped Lion-tailed Conks Heartwood decay
 Flush cuts Other _____ Response growth _____
 Main concern(s) Unbalanced Red Maple with history of failure - hazardous
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Trunk —

Dead/Missing bark Abnormal bark texture/color
 Codominant stems Included bark Cracks
 Sapwood damage/decay Cankers/Galls/Burls Sap ooze
 Lightning damage Heartwood decay Conks/Mushrooms
 Cavity/Nest hole _____ % circ. Depth _____ Poor taper
 Lean _____ ° Corrected? _____
 Response growth _____
 Main concern(s) Included bark with codominant stems
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Roots and Root Collar —

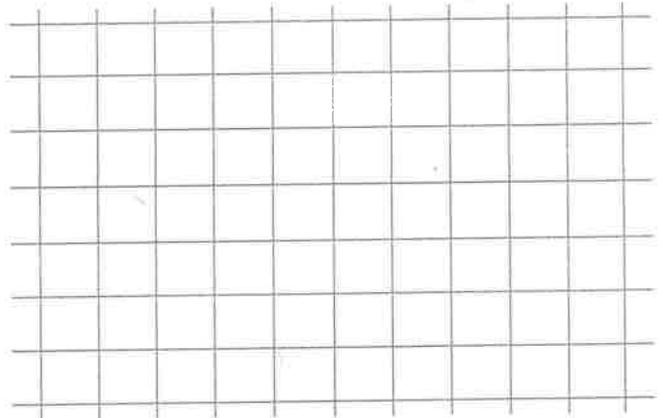
Collar buried/Not visible Depth _____ Stem girdling
 Dead Decay Conks/Mushrooms
 Ooze Cavity % circ. _____
 Cracks Cut/Damaged roots Distance from trunk _____
 Root plate lifting Soil weakness
 Response growth _____
 Main concern(s) _____
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

Risk Categorization

Condition number	Tree part	Conditions of concern	Part size	Fall distance	Target number	Target protection	Likelihood																Risk rating of part (from Matrix 2)
							Failure				Impact				Failure & Impact (from Matrix 1)				Consequences				
							Improbable	Possible	Probable	Imminent	Very low	Low	Medium	High	Unlikely	Somewhat	Likely	Very likely	Negligible	Minor	Significant	Severe	
1	Crown	Codominant Failure	L	<10'	1,2,3	None	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input checked="" type="radio"/>	High								
2							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
3							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
4							<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

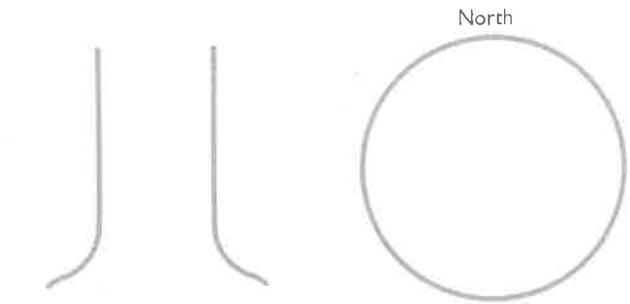
Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impacting Target			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely



Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low



Notes, explanations, descriptions Red Maple high potential for failure

Mitigation options Removal

Residual risk _____
 Residual risk _____
 Residual risk _____
 Residual risk _____

Overall tree risk rating Low Moderate High Extreme

Work priority 1 2 3 4

Overall residual risk Low Moderate High Extreme

Recommended inspection interval _____

Data Final Preliminary **Advanced assessment needed** No Yes-Type/Reason _____

Inspection limitations None Visibility Access Vines Root collar buried Describe _____



Basic Tree Risk Assessment Form

Client Kraft Date 06-01-22 Time 1:00pm
 Address/Tree location 1040 Nautilus Lane Tree no. 2 Sheet 2 of 2
 Tree species Gum dbh 20" Height 70' Crown spread dia. 40'
 Assessor(s) Chris Neal Time frame 1 Year Tools used Visual

Target Assessment

Target number	Target description	Target zone			Occupancy rate 1-rare 2-occasional 3-frequent 4-constant	Practical to move target?	Restriction practical?
		Target within drip line	Target within 1 x Ht.	Target within 1.5 x Ht.			
1	House	<input checked="" type="checkbox"/>			3	N	
2	Wires	<input checked="" type="checkbox"/>			4	N	
3	Street	<input checked="" type="checkbox"/>			2	N	
4							

Site Factors

History of failures Multiple branches over last year Topography Flat Slope % Aspect _____
 Site changes None Grade change Site clearing Changed soil hydrology Root cuts Describe _____
 Soil conditions Limited volume Saturated Shallow Compacted Pavement over roots % Describe _____
 Prevailing wind direction SW Common weather Strong winds Ice Snow Heavy rain Describe High winds along coast

Tree Health and Species Profile

Vigor Low Normal High Foliage None (seasonal) None (dead) Normal 95 % Chlorotic 5 % Necrotic _____ %
 Pests _____ Abiotic _____
 Species failure profile Branches Trunk Roots Describe Gum has soft wood with history of failures

Load Factors

Wind exposure Protected Partial Full Wind funneling Relative crown size Small Medium Large
 Crown density Sparse Normal Dense Interior branches Few Normal Dense Vines/Mistletoe/Moss
 Recent or planned change in load factors _____

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown LCR 78 % Cracks Lightning damage
 Dead twigs/branches % overall Max. dia. _____ Codominant Unbalanced codominance _____ Included bark
 Broken/Hangers Number _____ Max. dia. _____ Weak attachments throughout _____ Cavity/Nest hole _____ % circ.
 Over-extended branches Previous branch failures multiple _____ Similar branches present
Pruning history
 Crown cleaned Thinned Raised Dead/Missing bark Cankers/Galls/Burls Sapwood damage/decay
 Reduced Topped Lion-tailed Conks Heartwood decay
 Flush cuts Other _____ Response growth _____
 Main concern(s) Unbalanced Gum tree with history of failure - hazardous

Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Trunk —

Dead/Missing bark Abnormal bark texture/color
 Codominant stems Included bark Cracks
 Sapwood damage/decay Cankers/Galls/Burls Sap ooze
 Lightning damage Heartwood decay Conks/Mushrooms
 Cavity/Nest hole _____ % circ. Depth _____ Poor taper
 Lean _____ ° Corrected? _____
 Response growth _____
 Main concern(s) Included bark with codominant stems

Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Roots and Root Collar —

Collar buried/Not visible Depth _____ Stem girdling
 Dead Decay Conks/Mushrooms
 Ooze Cavity _____ % circ.
 Cracks Cut/Damaged roots Distance from trunk _____
 Root plate lifting Soil weakness
 Response growth _____
 Main concern(s) Root crown collar is swollen on possible rot

Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

Pre-construction site survey

TITLE NO. TBT43263

RONALD PERSAUD, L.S.

LAND SURVEYOR

15 South Tenth Ave

MOUNT VERNON, N.Y. 10550

Tele : (914) 523-5808

Email: ronoldpersaud1510@gmail.com

Survey of plot situate in the Village and Town of Mamaroneck, County of Westchester and State of New York, known and designated as Lot No. 4 as shown on a certain map entitled, "Re-Subdivision Map of Nautilus Cove, belonging to Nautilus Cove Corp.", dated November 4, 1953 and filed in the Office of the County Clerk of Westchester County, Division of Land Records, December 10, 1953 as Map No. 8664.

Blk. 55 Tax Lot 359 : 16,870 sq.ft.(0.387Acre)

F.M. No. 9993 "Subdivision Map for Nine Acres Lane"

TAX LOT 421
142.04'

TAX LOT 409
553.20'50"W

553.20'50"W

17' W. R.O.W.

Row Herlock Clear

1.41' W. R.O.W.

5' Vinyl Fence

12.16' 18" T. Planter

20.38' Wood Planter

Row Herlock

1.1' W. R.O.W.

10' Long Inland Sound

7' R.O.W.

6' Stockade Fence

7' R.O.W.

Macadam Walkway

107.65'

1.1' W. R.O.W.

TAX LOT 345

TAX LOT 359

TAX LOT 359

TAX LOT 359

TAX LOT 105

RONALD PERSAUD N.Y.S. LIC. No. 051087



ORIENTA AVENUE

R=25.00'
L=37.59'

N32°49'10"E

FLOOD ZONE:
Village of Mamaroneck
Map Panel: 36119C0361F
Effective Date: 9/28/2007
Area of Minimal Flood Hazard
Zone X

10' Utility Easement

NAUTILUS

LANE

Stone Curb

Moccadam Roadway

(Private Road)

15.0' BC21.24

110.72'

15.0' BC20.55

15.0' BC20.18

15.0' BC19.97

15.0' BC19.71

15.0' BC19.45

15.0' BC19.19

15.0' BC18.93

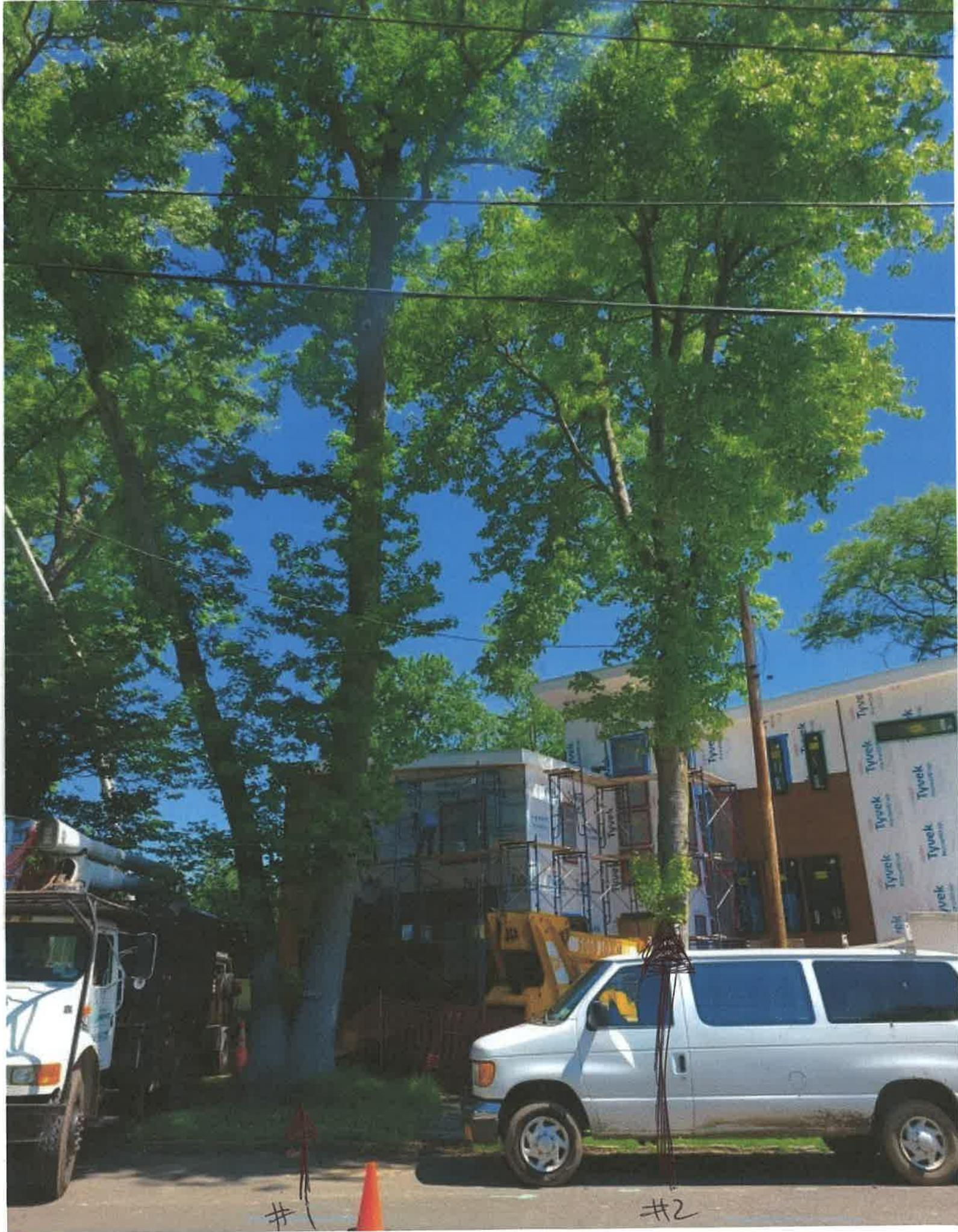
.XXXX Denotes Elevation value in feet.
All Elevations referenced to the North American Vertical Datum of 1988.
Unauthorized alteration or addition to this survey map is a violation of Section 7209 Subsection 2, of the New York State Education Law. No guarantee is implied by this map as to the existence or non-existence of any easements of record that would affect subject property, unless surveyor has been furnished a complete copy of the title report. Dimensions shown from structures to property lines are not intended to be used for construction of fences, structures or other improvements.

Scale : 1" = 20'

"Surveyed As In Possession"

Index: C00-009

- Certifications:
- 1) Thoroughbred Title Services, LLC
 - 2) Radian Title Insurance Inc.
 - 3) Citizens Bank, N.A., ISA04/Its Successors and or Assigns
 - 4) Michael Kraff and Joanna Harp
 - 5) Coleman & Selfe



#1

#2

