

9/16/2022

## Village of Mamaroneck Tree Committee 19 September 2022 Agenda

### **\*Approval of the August 11, 2022 Minutes** (*Attachment 1*)

### **\*Committee Members**

Welcome to new committee member Krishna Finkenberg  
Resignation of Matt Tollefsen

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

### **\*Correspondence**

820 Pirates' Cove Regarding Replanting Requirement (Attachment 2)  
130 Beach Regarding Tree Nursery (Attachment 3)  
127 Highview Street (neighbor) (Attachment 4)

### **\*Old Business**

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

Mulch mounds, continuing problems

Landscapers don't know any better (Attachment 5)

Requests for tree removals (Attachments 6, 6A, 6B)

900 Halstead Order To Remove (Attachment 7)

### **Public and Private Tree Removals, Applications, Violations**

- Cumulative list of VOM tree removals (Attachment 8)
- VOM list of tree removal permits (Attachment 9)

### **Tree Law**

- Permits to be posted by property owners?
- Proposed revisions by BOT (Attachment 10)
- Question about tree permits and BAR approval (Attachment 11)

### **Maintenance Pruning Plan**

- Palmer Terrace @ Palmer pruning request (Attachment 12)
- 322 Prospect Pruning request (Attachments 13, 13A, 13B, 13C)

### **Fall Planting**

- List in process
- Both B&B and bare root
- VOM will contact property owners before planting in ROW

Book Discussion Update  
“The Hidden Life of Trees”

**\*New Business**  
Maintenance Pruning

Tree Walk – tentatively October 30, rain date November 6

Citizen Pruners Workshop – schedule date (Fall)  
George Proufous will lead the workshop, late October or early November

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

- Reschedule November meeting

**\*Calendar Notes**

- Tree Walk tentatively October 30
- Citizen Pruners Workshop TBA
- November meeting TBA

Draft of Minutes of Meeting of the Tree Committee  
held remotely on August 11, 2022 at 7:42 PM

**PRESENT:**

Nora Lucas, Trustee

Beverley Sherrid, co-chair

Gail Koller, co-chair

Marlene Star, TC member

Sara Mignano, TC member

Glenn, VOM resident

**\*Approval of the July 28 Minutes**

**\*Welcome to new committee member Krishna Finkenberg**

**\*Correspondence**

- 1505 Hillside regarding replanting requirement for 10 trees (*Attachment 2*).
- 130 Beach regarding implicit bias etc. (*Attachment 3*) Resident sent suggested locations to Beverley, who will look at them for fall list.
- 130 Beach regarding tree nursery (4) Resident opposes location of nursery at Bud Walker Park. GK says Taylor Lane site he proposed may be toxic and HIP site has too much ground salt.

**\*Old Business**

Maintenance, Removal, or Evaluation

- HIP dead evergreen near HIP pavilion. Not replanting-too much salt (*Attachment 9*)
- 425 Hunter request ROW tree to be assessed by Jerry, possibly hazardous (*Attachment 7*)
- 612 N. Barry, Dead Tree In ROW needs to be removed (*Attachment 8*)

Potential grant for VOM sidewalk on Halstead. Bev to speak with Dan Sarnoff about using structural soil on ROW.

Halstead Sidewalk Improvements (*Attachment 10*)

Tree Law

- Permit to be posted by property owner?

Revisions should specify that tree bank only be used by Planning Board

#### Fall Planting

- Beverley has started her list.

#### **\*New Business**

##### Invasive Pests

- Emerald Ash Borer. Killed ash on The Parkway
- Spotted Lantern Fly. Two reported sightings in VOM- HIP and Melbourne Ave.  
(*Attachments 11 & 12*)

Citizen Pruners Workshop – schedule date (Fall) Bev to ask George Profus of NYS Dept. of Environmental Protection

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##### Heritage Tree List

- Need to prepare list plus nomination procedures

#### **\*Calendar Notes**

- September 19, 2022 – Next meeting; 7:30 pm in person, location TBA
- September 15, 2022 – Online book discussion 7:00 pm, *The Hidden Life of Trees*

8:24 pm Adjourned

**Attachment 2**  
**820 Pirates Cove Regarding Replanting Requirement**

Hello again,

So tree com members can see, I include below in "s the text of a subsequent email I had sent you before you had sent your reply.

Again, please consider that we planted a redbud in 2021 near the street.

"Further to below email which was sent before I meant.

A new tree planted next to the stump would be too close to the pine tree #7.

We also have 10 short evergreens approx 3" to 4" dia each near property line on same side of house as white birch tree. We also planted a redbud tree in 2021 near the street which maybe you could consider.

If not already done when you visited our address to know which tree we needed a permit to cut, please feel free to return any time to assess our tree situation.

Thanks for your consideration.

Sincerely  
Philippe Levi  
820 Pirates Cove

.....  
Sent from my Verizon, Samsung Galaxy smartphone  
Jerry Barberio  
Hi,

I'm sorry. I cannot or will not exempt the plantings of the required new trees. It was written into the new law and is in there for a reason. Sorry again.

Tree Com members are copied for their input.

**Jerry Barberio**  
*Village Manager*

.....  
Att Jerry Barberio

Good afternoon,

We have cut the tree of this permit.

We certainly appreciate the idea to keep trees in Mamaroneck to help our area stay green. However, I ask if it would be possible for you to please not require us to plant a new tree on our property for the following reasons:

Our property is relatively small at about 0.5 acres.

Our property currently has 15 trees which I feel based on the following estimated diameters (based on circumference measurements I took at about 4 feet up) give shade to almost the entire Property, and I believe is more tree coverage per acre than many homes in our neighborhood have.

One side of our house is only driveway and completely unplantable.

Other side of the house is a narrow strip of land on which there is #1 a white birch tree dia 13".

The front yard has hardwood tree #2 18" dia, hardwood tree #3 20" dia, and #4 Red maple 10" dia near street.

Nearer the house #5 red maple 9" dia and #6 oak tree 43" dia. This oak tree splits into two trees I could not get high enough to measure each dia. This oak gives shade to most of our front yard.

In back yard we have #7 oak tree 39" dia. This tree covers a big portion of our back yard. Pine tree #7 16" dia is near the harbor and was right next to tree cut by this permit. On the other side of backyard we have #8 oak tree dia 19", #9 oak tree 25" dia, #10 oak tree 32" dia, #11 Hardwood tree 17" dia, #12 pine tree 8" dia, #13 pine tree which splits into two trees with dias 12" and 13". Also in back yard is #14 dogwood 5" dia. Finally we have

We cannot plant new tree where cut tree was as stump still there.

Sent from my Verizon, Samsung Galaxy smartphone

.....  
Hello again,

I attach hereto 7 pictures of the front, both sides, and back of our house to show you what the 15 trees in our approx 0.5 acre lot look like.

I understand the purpose to replant a tree is to keep us green. However, I really feel that if you and/or a tree committee member study these pictures and/or visit this site, you will agree that it

would not be easy, if at all possible, to find a spot on our land where a new tree would have enough room and enough sunlight to grow to mature height.

In case the law does not already include it, maybe it would be OK for the law to be amended to allow for sites where it is found to be inappropriate to plant a replacement tree that the owner of that site donate a reasonable specified amount to the Village of Mamaroneck to plant a new tree on Village of Mamaroneck public land for public enjoyment.

Thank you in advance for your consideration.

Philippe Levi  
820 Pirates Cove

Attachment 3  
130 Beach Regarding Tree Nursery

**From:** stuart tiekert <tiekerts@yahoo.com>  
**Sent:** Wednesday, September 14, 2022 1:36 PM  
**To:** FOIL <foil@vomny.org>; Agostino Fusco <afusco@vomny.org>  
**Subject:** Re: Public Records Notification for Request #6430

Dear Augie,

Thank you for the record but it is unresponsive to my request.

What you have provided to me is the email I referred to in my request. I hope you know by now that I would not request a record I already have.

I also hope by now you would understand that when I ask for "plans" I am referring to drawings. I seriously doubt there are any plans but I would like to confirm that through FOIL.

If necessary, please consider this a FOIL request for any and all plans, i.e. drawings or specifications detailing how and where the tree nursery will be building, including but not limited to size, utility connections, location etc.. I hope that it will not take another two months to either receive these records or acknowledgement that there no records available.

Thanks,

Stuart Tiekert



**Attachment 4**  
**127 Highview Street (neighbor)**

**From:** Doreen <roneyco@aol.com>  
**Sent:** Friday, September 16, 2022 8:48 AM  
**To:** Jerry Barberio <jbarberio@vomny.org>  
**Cc:** Mayor and Board <MayorandBoard@vomny.org>  
**Subject:** Tree removals

Jerry,

I am not aware of the process for reporting information to the village outside of business hours.  
I'm also not sure if the owners of 127 Highview Street have a permit in place for tree removals however this is happening right now in the rear yard.

Regards,

Doreen Roney

**Attachment 5**  
**Mulch Mounds Continue**

Hi Jeff and Jerry,

Jeff, thanks for taking care of this and speaking with the super. Could you please find out who their landscaper is?

Jerry, this is such a common problem and I think, therefore, that many people assumes it's the correct way to care for a tree. Can the TC reach out to local landscapers and make them aware that volcanoing mulch around a trunk is bad for the tree?

Best,  
Gail

.....

Beverley Sherrid  
Thanks.

It's so ironic, I know the super is doing this extra work because he wants to take care of the trees.

.....

Jeff Ahne  
Good morning, Beverly

I will take care of again and let the super know that the trees need room to breath

Thanks

.....

Jeff Ahne  
General Foreman Parks Dept.  
914-777-7784  
Beverley Sherrid  
Hi Jeff,

I noticed while driving down Richbell that the mulch is still mounded around the four new trees, or possibly the super re-mounded it after your guys dug out the root flares.

Would you make sure the mulch is removed soon please? If you need some volunteer help, I'm happy to do some digging but please let me know.

Thanks.  
Beverley

**Attachment 6**

**Tree Committee Requests for Evaluation or Removal**

**August 11- September 19**

<b><u>No.</u></b>	<b><u>Street</u></b>	
209	Carroll	trimmer damage, bad pruning
607	The Parkway	line interference, street risk

Attachment 6A  
607 The Parkway





Attachment 6B  
209 Carroll Ave

Trimmer damage, bad pruning



**Attachment 7**  
**900 Halstead Ave Order to Remove**

Jerry and OTR has been issued for the removal of the trees.

Shawn C. Jimison Jr

.....

On Aug 22, 2022, at 14:47, Jerry Barberio <jbarberio@vomny.org> wrote:

BD...

**OTR to be issued today** for 900 Halstead Ave to remove all dead trees on their property in 7 days or we will remove them at our costs (and lien the property). These trees are declared dangerous and hazardous potentially impacted pedestrian targets.

900 Halstead LLC.  
115-09 Rockaway Beach Blvd  
Rockaway Park, NY 11694

**Attachment 8'**  
**Tree Removals**

<u>Address</u>	<u>Street</u>	<u>Approved</u>	<u>Denied</u>	<u>VOM</u>	<u>Date</u>
<b><u>April</u></b>					
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
<b><u>May</u></b>					
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
<b><u>June</u></b>					
	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
<b><u>July</u></b>					
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	4		7/12/2022
<b><u>August</u></b>					
425	Hunter			ROW	
321	Hornidge			ROW	
935	The Parkway			ROW	
	Columbus Park	5		park	
	Sylvan @ Orienta bike path			ROW	
540	Second St			ROW	
127-139	Highview			ROW	sliding toward the street
	Soundview @ Arlington	2		ROW	
1411	Mamaroneck Ave	2		ROW	
216	Melbourn			ROW	
345	Wagner	x			too close to house
213	Carroll			ROW	ConEd, wire interference
229	Melbourne			ROW	ConEd, wire interference

# A Hashment #9 VOM Permits

Address	Application Received	Inspection Completed	Decision
705 Cedar Street	02/07/22	03/02/22	Approved
525 Stanley Avenue	02/15/22	03/02/22	Approved
1037 Orienta Ave	02/16/22	03/08/22	Denied
1505 Harrison Avenue	03/03/22	03/08/22	Approved
540 Alda Road	03/10/22	03/18/22	Approved
412 N Barry Ave	03/15/22	04/19/22	Approved
1 Pirates Cove	03/17/22	04/05/22	Approved
1035 Seven Oaks Lane	03/17/22	04/01/22	Approved
940 Greacen Point Road	03/18/22	04/01/22	Approved
510 Cortlandt	03/18/22	03/08/22	Violation
1460 Nelson Street	03/21/22	04/05/22	Denied
834 Walton Ave	03/21/22	04/05/22	Approved
166 Maple Avenue	03/25/22	04/19/22	Approved
1505 Stoneybrook	03/28/22	04/05/22	Denied
166 Maple Avenue	03/30/22	04/19/22	Approved
818 Walton Avenue	04/04/22	05/11/22	Approved
416 Travers Ave	04/13/22	05/11/22	Denied
400 Toni Lane	04/22/22	05/11/22	Approved
611 First Street	04/27/22	05/11/22	Approved
832 The Parkway	05/18/22	06/15/22	Approved
502 Orienta Avenue	05/20/22	06/15/22	Approved
406 Claflin Avenue	06/06/22	06/15/22	Approved
1040 Nautilus Lane	06/07/22	06/15/22	Denied
155 Heathcote Ave	04/04/22	05/11/22	Denied
430 Claflin Avenue	03/31/22	06/02/22	Denied
820 Rushmore Ave	05/05/22	06/02/22	Approved
1040 Cove Road	03/04/22	06/02/22	Approved
1251 Flagler Drive	07/11/22	06/22/22	1 appr, 2 denied
935 Sylvan Lane	07/08/22	07/12/22	Approved
218 Wagner Ave	06/21/22	07/21/22	Approved
491 S Barry Avenue	06/24/22	07/20/22	Approved
704 Shore Acres Drive	07/21/22	08/16/22	Approved
850 Soundview Drive	08/01/22	08/16/22	Approved
820 Pirates Cove	07/25/22	08/16/22	Approved
899 Port Drive	07/14/22	08/16/22	Approved
520 Hommocks Road	07/08/22	08/18/22	Denied
10 Oak Lane	07/29/22	08/18/22	Approved
120 Pelham Street	07/21/22	08/23/22	Approved
631 Second Street	05/10/22	08/25/22	Approved

**Attachment 10**  
**Revisions to Tree Law**

Dear Nora,

I understand that the Board of Trustees plans to discuss revisions to the tree law that were prepared by Mr. Spolzino for tonight's meeting.

I have read the draft and find that it does not reflect the corrections I sent him on August 4 and again on September 6. I hope that the Board will defer consideration of a revised law until these corrections can be incorporated.

1. One concern involves establishing a Tree Bank, 318-8 G (3), to be used solely at the discretion of the Planning Board in the course of its deliberations. The proposed draft does not define or restrict use of a Tree Bank. As it stands, a Tree Bank could provide an "out" for anyone looking for a way not to plant replacement trees. The Tree Committee did not intend to create such a broad option.
2. "Tree Bank" is not a defined term in this draft; it should be added and its restricted use should be specified in the Definitions section.
3. My second concern is a conflict between 318-8 A (3), which allows trees lost through natural causes such as storms or wind to be removed by owners, who would need to submit photo documentation without filing a completed permit application, and 318-8 K (Emergency Removals), which includes natural cause tree losses and requires a completed tree removal application.

The conflict between these two sections means we would eventually need another round of revisions to the law.

4. Finally, please amend 318-8 F (3) to specify "21 business days", the intention of the Tree Committee. We omitted the word "business".

Thank you.  
Beverley

**Attachment 11**  
**Tree Permits and BAR Approval**

Hi Jerry,

I am working on the Tree Comm Sept agenda and came across this email that I sent to an entirely wrong Jerry. He must have been bewildered, whoever he is.

My question was whether construction approved by the BAR still needs to have a tree permit application filed for any protected trees affected by the work.

It would be a big hole in our law if it's not the case. So far I'm aware of two recent situations: 1311 Franklin and 8 Oak Lane.

Thank you.  
Beverley

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The similar renovation project is at 8 Oak Lane. If possible, I'd like to know whether preserving a large, mature tree near the garage renovation was taken into consideration by the BAR and the Building Department.

Thanks again,  
Beverley

.....

I have some questions about the BAR process as it relates to possible effects of renovations and expansions on a property's trees:

1. Does BAR approval automatically authorize a permit from the Building Department?
2. Does the BAR consider whether construction will damage or remove mature trees?
3. Does the building permit ask whether any trees will be affected or removed by the construction?
4. If trees are affected, do the owners need to apply for a permit to remove the tree and follow the replanting requirement?
5. If tree removal would not otherwise have been approved, does that mean the owners need to submit new plans to the BAR that won't affect the tree?

Does the BAR know about the tree law or do we need to give it to them? I understand there have been other, recent applications (one in Orienta) for similar projects that may also affect nearby trees. I'm worried that this may be a large hole in the effort to protect mature trees on private property.

Beverley

**Attachment 12**  
**Pruning Request Palmer Court, Terrace & Palmer**

Hi Jerry and James,

Thank you for having the dead branches removed at Palmer Court, Terrace and Palmer Avenue. One large, dead branch on Palmer Court was overlooked. It is above the sidewalk on the left hand side of Palmer Court just after you make the left turn from Palmer Terrace and are heading up the hill. It's the first large pin oak on the left side near the Recreation Room. I've outlined the dead branch in red in the photo below. Is it possible to get that removed soon? I'm concerned because its right over the sidewalk.

Thank you.

Best,  
Gail





**Attachment 13**  
**322 Prospect ROW Pruning Request**

Dear members of the Tree Committee,

I would appreciate your advice on who to contact in the Village regarding proper maintenance of the tree planted in front of my home at 322 Prospect Avenue, Mamaroneck Village. It sits on the land between the sidewalk and the street.

Over the past 30 years, as major trees along Prospect have come down due to age and storms, they have been replaced with a variety of smaller trees. I believe the tree in front of my house is a Bradford Pear.

As you can see by the attached photos, the tree has not been regularly pruned. An arborist company trimmed a few years back – with the goal of clearing the tree from all of the utility wires that run through the branches. The result cleared the center of the tree – causing the surrounding branches to spread further from the trunk, weakening them further. One major limb was “trimmed” by a truck driving by. Another major limb came down in a windstorm and since it landed on my front lawn, I paid to have it removed.

I am concerned that the utility wires are now in danger of coming down due to the weight of the untrimmed limbs.

Please advise who I should contact so that the tree receives some much needed attention. I am hoping with proper attention we will not lose the tree.

Thank you for your efforts for the community,  
Gail Boyle  
322 Prospect Avenue, Mamaroneck 10543  
914-320-3793  
[gailboyle@msn.com](mailto:gailboyle@msn.com)

Attachment 13A





Attachment 13B



Attachment 13C

