

1/15/2023

Village of Mamaroneck Tree Committee  
18 January 2023 Agenda

**\*Approval of the October 17 and December 19, 2022 Minutes** (*Attachment 1 & 2*)

**\*Distribute handbooks from NYS DEC**

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

**\*Correspondence**

**\*Old Business**

VOM Inspection for Maintenance or Removal *Please provide street numbers when reporting tree-related issues*  
(Attachments 3 & 3-A, B)

- Google doc created for committee use (thank you Sara)  
*Link to come*

Public and Private Tree Removals, Applications, Violations

- 407 Wagner, whose tree? (attachment 4)
- 575 Alda regarding tree permit application (Attachment 5)

Tree Law Update

- 120 Osbourne Ave permit application – VOM meeting planned to discuss legal guidance

Spring Planting

- 47 trees carried over from fall
- New trees for Rockland Pocket, several residential street trees  
*List in process*

MTA land along Bishop Ave

- Tentatively spring 2023; VOM still working on the agreement with MTA to work near their property known as a Right of entry

**\*New Business**

Revised list of recommended street trees (Attachment 6)

- Incorporates NYS DEC recommendations
- Vote

NYS Bill for responsible vegetation management by commuter rail lines

- Vetoed by Gov. Hochul, will be reintroduced (Attachment 7)

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

**\*Calendar Notes**

- February 15, 2023, Regatta Conference Room, 7:30 pm
- 12 February 2023, Tree Walk in Columbus Park, 1:00 pm
- 25 March 2023, Library Centennial Celebration, Tree Planting at Rushmore Ave Playground, HIP

**Attachment 1**  
**7:40PM VOM Tree Committee Minutes – October 17, 2022**

Quorum!

Beverley Sherrid, Krishna Finkenberg, Sara Mignano, Gail Koller, Nora Lucas

No changes to accept last month's meeting minutes.

Comments from residents: None.

**Correspondence**

130 Beach questions regarding where and how we are planting trees

1505 Stoneybrook, tree permit to remove a dozen trees and now they are not replanting.

1311 Franklin permit denial repeal

Carroll – Jeff Langus (resident) distressed the removal of a large healthy trees (100 year old Linden, many others lost during large storm about 15 years ago.)

**Old Business**

Bare root trees planted this fall as the tree grows the roots grow in unconstrained way in comparison to the ball and burlap. This is one of many reasons bare root is being used now.

Robert Ingenito, works part time, might handle PR/ community outreach to notify the residents a tree will be removed. Similar to how a tree being planted is notified to the residents. Jerry's office can create a process to handle this outreach.

Last Spring (2022) 33 trees were planted, horrible drought followed and many residents proactively watered the trees. Great positive response and support!

Halstead new sidewalk grant proposal, bump outs, big project to cross Halstead, still in the design phase from Railroad to Harrison 4million dollar project with grant money. Beverley contacted Dan Sarnoff to include structural soil under the sidewalk so trees may grow. Trees might be only on the bump out. Gail says bump out obscures the sightline and sometimes trees get removed in the end.

James Barney maintenance, pruning & removal assessments, needs monthly request, not ad hoc; submitted as a spreadsheet. Notify Beverly (not Jerry or James) pruning and removal evaluation lists.

Oriente/ Sylvan lane tree? Gail will follow up if the tree remains and needs removal.

List of Village tree removals: Right of Way, Parks

Tree Permit Removal Application: 4 came in the last month

Tree removed on 10 Oaks Lane. Permit?

Can you navigate the Village website to see if your neighbor has filed a permit? What is the protocol for reporting tree removal? Someone tried to contacting VOM/ Jerry's office and no

one was available to take the call. What to do when a tree is about to come down and you are unsure there is a permit. Email Dennis/ Building Dept?

Approved permits should be public information/ transparent on the website. Robert and Sally handle the postings.

What is the process for putting together a process? Nora will follow up with Jerry.

### **Tree Law Update**

Revisions due Wednesday morning. Beverly's August changes did not make it into the draft. Draft was circulated to Planning Board, which requested a couple of other changes.

October 12, 2021 Tree law implementation, just passed the one year anniversary!

**Fall planting**- new sites, Beverly originally had 280 sites, 40 responded saying they do or don't want trees. Some new sites added, now proposing 261.

Request to start a list of potential new tree locations. Constraints, 20 feet from the corner. If overhead wires exist, must be a small flowering tree, open space. Tree law was passed to plant beyond the right of way, with permission of owner. BROW and proposed scholarship to do this was challenged after law was passed, now waiting to hear opinion of State Attorney General. Parks to be planted: (12) Warren Ave Park (10) Florence Park (5) along Stanley Ave overlooking the park (12) Rockland Pocket overlooking Sheldrake where removing invasive and adding pollinators.

Stuart Tiekert sent Beverly a 3-page list of locations in Lester/ Washingtonville area, many productive spots for new trees, very helpful.

Committee for the Environment planning pollinator gardens at Fennimore and Prospect, native drought tolerant plantings and a tree will be setback, near the knee. Small tree because of wires.

Dog Park Committee – trees may be removed to create a dog park. Someone can represent tree committee in upcoming Dog Park Committee.

### **New Business**

My Favorite Tree and Why

Review with Jerry if Rob can utilize time for community outreach.

MetroNorth has agreed to let VOM plant trees in front of retaining wall along Bishop. Stumps need to come out first, Jerry asking DPW to plan removal, plant trees after that.

Meeting adjourned at 9:06 pm.

**Attachment 2**  
**VOM Tree Committee Minutes – December 19, 2022 DRAFT**

The meeting began at 7:38 pm

Beverley Sherrid, Wendy Zoland, Sarah Evans, Tom Murphy, Laura Horner, Jarret Williams, Caroline Williams, Don Rossi atty for 120 Osbourn

**Comments from residents**

Mssrs. Rossi and Williams explained the reasons for appealing the tree permit application decision at 120 Osbourn Ave. Mrs. Sherrid said that the matter had been referred to the Village Attorney for an opinion. She also explained the goal of the replanting requirement in the tree law.

Ms. Horner described the recent large-scale removal of trees by MetroNorth in the vicinity of its parking lots and other property. The work was done without notice to the Village; the Village Manager arrived after he was alerted by residents and was able to modify the work order slightly. MetroNorth's position is that it is authorized by NYS to do whatever work it deems necessary for line maintenance.

Ms. Horner further alerted the committee to NYS Senator Shelley Mayer's pending bill that would require commuter transit companies to practice responsible vegetation management and communicate with affected communities. She encouraged everyone to write to Gov. Hochul in support of <https://www.nysenate.gov/legislation/bills/2021/S7427>

**Correspondence**

Emails from seven residents were discussed.

**Old Business**

List of VOM trees identified by committee members for inspection, maintenance, or removal sent to DPW. A google spreadsheet will be created by Ms. Mignano so members may add to the list directly.

**Fall planting**

238 bare root trees were ordered based on an initial list of recommended locations. A large number of locations were later eliminated because of underground utilities or residents declining the trees. 50 have been potted, insulated, and held over for Spring planting.

VOM and MNR representatives met 10/27/2022 to discuss VOM request to replant evergreen screen along Bishop Ave embankment.

Tree Walk October 30 was very successful, about a dozen people attended

Citizen Pruners Workshop November 5 was led by George Profous, NYS DEC Forester. Two-hour workshop, attended by six residents, was excellent.

Rockland Pocket Park land was cleared and planted by volunteers and DPW. Donated pollinator plants and two VOM white oak trees are in the ground, additional trees will be ordered by VOM next Spring.

The Mamaroneck Public Library will plant a tree in Harbor Island Park near the Rushmore Ave playground on 3/25/2023 as part of its centennial celebrations.

The next Tree Walk will be on 2/12/2023 in Columbus Park at 1:00 pm.

The committee discussed changing the week night for monthly meetings in 2023.

Meeting ended at 9:02 pm.

**Attachment 3**

**VOM Tree Inspection, pruning, removals -- January 2022**

**Address**

**Street**

**Date**

VOM

Mt Pleasant @ Prospect

Corner tree on Mt. Pleasant

**Pruning/Maintenance**

542

Mamaroneck Ave

Possible to straighten leaning tree?

322

Prospect Avenue

2nd request, ROW bradford pear. Prune to balance exterior, lighten interior

**OTR**

542 Mamaroneck Ave.



Mt. Pleasant Ave. @ Prospect



**Attachment 4**  
**407 Wagner, Tree Removal, VOM or Private?**

We did not and they are being issued a letter.

James Barney  
General Foreman of Public Works  
Village of Mamaroneck  
(914) 351-6380

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**From:** Beverley Sherrid <BSherid@vomny.net>  
**Sent:** Thursday, January 12, 2023 2:53:58 PM  
**To:** James Barney <jbarney@vomny.org>; Jerry Barberio <jbarberio@vomny.org>  
**Subject:** Re: 407 Wagner

James,  
Did you ever get the survey for this property to be sure whether it's a private or VOM tree?  
Beverley

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**From:** James Barney <jbarney@vomny.org>  
**Sent:** Wednesday, January 4, 2023 2:44 PM  
**To:** Jerry Barberio <jbarberio@vomny.org>; Beverley Sherrid <BSherid@vomny.net>  
**Subject:** Re: 407 Wagner

Received. We will send the address for a letter to be sent.

James Barney  
General Foreman of Public Works  
Village of Mamaroneck  
(914) 351-6380

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**From:** Jerry Barberio <jbarberio@vomny.org>  
**Sent:** Wednesday, January 4, 2023 2:42:46 PM  
**To:** James Barney <jbarney@vomny.org>; Beverley Sherrid <BSherid@vomny.net>  
**Subject:** 407 Wagner

Significant decay visible in crotch and main trunk. Blunt cuts from prior pruning impacted continuous damage. High target concern with main electrical and transformer located 15' from tree as well as pedestrian, vehicles, and school on next street.

1. Heartwood decay
2. Prior tree topper damage will impact decay and roots.
3. Load on defect area is significant
4. Probable likelihood of failure.





**Attachment 5**  
**575 Alda regarding tree permit application**

Maryann Zurbuch <maryannzurbuch@gmail.com>  
To: Jerry Barberio  
Cc: Beverley Sherrid; Courtney Wong; TreeCom; aristide zurbuch

Tue 1/3/2023 3:55 PM

Ok, I will ask for the neighbor's signature. Out of curiosity, what if they were to say no?

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On Tue, Jan 3, 2023 at 3:45 PM Jerry Barberio <[jbarberio@vomny.org](mailto:jbarberio@vomny.org)> wrote:  
No. We require the adjacent property owner to sign off on the application.

Thx

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**From:** Maryann Zurbuch <[maryannzurbuch@gmail.com](mailto:maryannzurbuch@gmail.com)>  
**Sent:** Tuesday, January 3, 2023 3:29 PM  
**To:** Jerry Barberio <[jbarberio@vomny.org](mailto:jbarberio@vomny.org)>  
**Cc:** Beverley Sherrid <[BSherrid@vomny.net](mailto:BSherrid@vomny.net)>; Courtney Wong <[cwong@vomny.org](mailto:cwong@vomny.org)>; TreeCom <[TreeCom@vomny.org](mailto:TreeCom@vomny.org)>; aristide zurbuch <[azurbuch23@gmail.com](mailto:azurbuch23@gmail.com)>  
**Subject:** Re: Saving a Tree

Thanks Jerry. Does it make a difference if we provide a letter from a certified arborist? See the highlighted language in the 2nd page of the attached proposal we got from certified arborist Emerald Tree & Shrub Care. We were just not planning to use them for the removal because they are more than double the cost of others but I'm sure we can get a formal letter from them or another certified arborist.

The trunk of the tree is entirely within our property line and it seems odd that we would need the neighbor's formal consent if there is a hazardous condition.

Thanks.  
Maryann Zurbuch

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On Tue, Jan 3, 2023 at 3:01 PM Jerry Barberio <[jbarberio@vomny.org](mailto:jbarberio@vomny.org)> wrote:  
Hi,

We need the signature and sign off of the next-door neighbor since the tree is on the property line or very close to the PL.

The application has a section for them to fill out in the middle of the first page under adjacent/affected property owners...

Thank you. JB

**Jerry Barberio**

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**From:** Maryann Zurbuch <[maryannzurbuch@gmail.com](mailto:maryannzurbuch@gmail.com)>  
**Sent:** Tuesday, January 3, 2023 2:19 PM  
**To:** Beverley Sherrid <[BSherrid@vomny.net](mailto:BSherrid@vomny.net)>  
**Cc:** Courtney Wong <[cwong@vomny.org](mailto:cwong@vomny.org)>; Jerry Barberio <[jbarberio@vomny.org](mailto:jbarberio@vomny.org)>; TreeCom <[TreeCom@vomny.org](mailto:TreeCom@vomny.org)>; aristide zurbuch <[azurbuch23@gmail.com](mailto:azurbuch23@gmail.com)>  
**Subject:** Re: Saving a Tree

Hello all. Happy New Year. Just wanted to follow up on the below. Would you please confirm that you have received our application? Thanks!

Maryann & Aristide Zurbuch  
575 Alda Road

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On Wed, Dec 28, 2022 at 2:26 PM Beverley Sherrid <[BSherrid@vomny.net](mailto:BSherrid@vomny.net)> wrote:  
Hi MaryAnn,  
I hope you came through last week's horrendous storm without any mishaps.  
It turns out Jerry is out of the office until January 3 so I have to wait until then to find out the status of your application.  
With best wishes for a happy new year,  
Beverley

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**From:** Maryann Zurbuch <[maryannzurbuch@gmail.com](mailto:maryannzurbuch@gmail.com)>  
**Sent:** Friday, December 23, 2022 7:58 PM  
**To:** Beverley Sherrid <[BSherrid@vomny.net](mailto:BSherrid@vomny.net)>  
**Cc:** Courtney Wong <[cwong@vomny.org](mailto:cwong@vomny.org)>; Jerry Barberio <[jbarberio@vomny.org](mailto:jbarberio@vomny.org)>; TreeCom <[TreeCom@vomny.org](mailto:TreeCom@vomny.org)>; aristide zurbuch <[azurbuch23@gmail.com](mailto:azurbuch23@gmail.com)>  
**Subject:** Re: Saving a Tree

No problem. Thank you and happy holidays!

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On Fri, Dec 23, 2022 at 7:41 PM Beverley Sherrid <[BSherrid@vomny.net](mailto:BSherrid@vomny.net)> wrote:  
Hi Maryann,  
I am so sorry, I not going to be of much help this moment. I wasn't part of the inspection, I haven't seen the permit, and the VOM offices are closed for a long weekend. I will try to find out for you on Tuesday.  
Beverley Sherrid

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**From:** Maryann Zurbuch <[maryannzurbuch@gmail.com](mailto:maryannzurbuch@gmail.com)>

**Sent:** Friday, December 23, 2022 1:59 PM

**To:** Jerry Barberio <[jbarberio@vomny.org](mailto:jbarberio@vomny.org)>

**Cc:** Courtney Wong <[cwong@vomny.org](mailto:cwong@vomny.org)>; TreeCom <[TreeCom@vomny.org](mailto:TreeCom@vomny.org)>; aristide zurbuch <[azurbuch23@gmail.com](mailto:azurbuch23@gmail.com)>

**Subject:** Re: Saving a Tree

Hello Tree Committee. Would you please confirm receipt of our tree removal permit application for 575 Alda Road and the status of your review?

The application was submitted at the VOM offices a few weeks ago. The high winds and crazy weather we are having right now has us concerned and we wanted to check in on this so we can get the matter taken care of before it becomes an issue.

Thank you.

Maryann & Aristide Zurbuch

917-861-0617 (Maryann)

845-558-5267 (Aristide)

On Mon, Oct 24, 2022 at 3:15 PM Maryann Zurbuch <[maryannzurbuch@gmail.com](mailto:maryannzurbuch@gmail.com)> wrote:  
Jerry & Gail,

Thank you so much for meeting with us on Friday to discuss our hickory tree issue. I am attaching the photos as discussed so you can share with the Cornell Cooperative Extension to see if they have any advice on saving the tree.

In the event we need to remove the tree, we understand we will need to replace it which we will want to do anyway to regain the privacy the tree canopy provides and the erosion control the roots provide. We would appreciate your thoughts on appropriate types of replacement trees if possible.

Also with respect to erosion control, you had suggested that our next door neighbors should add some type of screens on the drainage outlets of the garden wall they added up at the top of the hill. Is there a particular type/ name for these screens?

In addition, you had mentioned the possibility of the Village planting a willow tree or similar on the Village property at the bottom of our hill which could help with stormwater management in general. We agree a tree like that would be a helpful addition.

We also discussed our wish to create more pervious space by removing the remaining asphalt and grassing over the property while retaining a gravel area for parking of one vehicle. Can you remind us of the steps we may need to take vis-a-vis the Village on that?

Thanks again for your time on Friday and for all your help with the above matters! Much appreciated!

Maryann & Aristide Zurbuch

**Tree Committee -- Recommended Species for VOM Trees**

REVISED 12/19/2022

<b><u>name</u></b>	<b><u>common name</u></b>	<b><u>Salt Type Soil</u></b>	<b><u>Salt Type Aerosol</u></b>	<b><u>Street/Park/ Both</u></b>	<b><u>Comments</u></b>
<b><u>Small Trees</u></b>					
cercis canadensis	eastern redbud	no		Both	shade tolerant
prunus virginiana "Shubert"	canada red select cherry				native
prunus serrulata	Kwanzan cherry	yes		Both	non-native
prunus sargentii	Sargent cherry	moderate		Both	non-native
amelanchier laevis	service berry	yes		Both	wide canopy
malus sugartyme	flowering crabapple	moderate		Both	recommended by Cornell
acer buergeranum	Trident Maple	yes	some	Both	
crataegus spp.	hawthorn	yes		Both	Washington hawthorn: thornless,
oxydendron arboreum	sourwood				shade tolerant, persistent fruit
halesia carolina	carolina silverbel				shady sites
cornus florida	flowering dogwood	no		Both	partially shade tolerant
cotinus obovatus	American smoketree				native
carpinus caroliniana	American hornbeam	no		Park	shade tolerant; good host plant
<b><u>Medium/Tall Trees</u></b>					
platanus acerfolia	London plane tree	yes	yes	Street	non-native, reserve for streets
nyssa sylvatica	tupelo/ black gum	yes	yes	Both	
Gleditsia triacanthos, thornless	honey locust "inermis", "Imperial"	yes	yes	Both	
acer rubrum	red maple	no		Both	
acer x freemanii	Freeman red maple				
Liquidambar styraciflua	sweet gum "Rotundifolia" seedless	moderate	yes	Both	
Tilia americana	linden/american basswood	no	no	Park	
tilia heterophylla	white basswood				
quercus alba	white oak	yes		Both	
quercus bicolor	swamp white oak	yes		Both	
quercus rubra	northern red oak	yes		Both	
quercus palustris	pin oak	no		Both	
quercus macrocarpa	bur oak				
quercus michauxii	swamp chestnut oak				
quercus phellos	willow oak				

quercus muehlenbergii	chinkapin oak					
quercus imbricaria	shingle oak					acidic, well-drained soil
quercus lyrata	overcup oak					
Prunus serotina	black cherry	yes	yes	Both		native, non-invasive in US
Juglans cinerea	white walnut	no		Park		
liriodendrom tulipifera	tulip tree			Park		
taxodium distichum	baldcypress					
gymnocladus dioicus (seedless)	Kentucky coffee tree (seedless)					
celtis occidentalis "Prairie"	hackberry					
ostrya virginiana	eastern hophornbeam					
cladrastis kentukea	yellowwood					
betula nigra	river birch					
maclura pomifera "white shield"	osage orange			Park		
<b><u>Do not use</u></b>						
cornus kousa	Kousa Dogwood					multi-stem; need heavy pruning
Ulmus Americana	Valley Forge Elm					weak branch structure
Acer platanoides	Norway maple					non-native, invasive, prevents
Pyrus calleryana/"bradford"	callery/bradford pear					native growth

Attachment –  
NYS Bill for responsible vegetation management by commuter rail lines

Dear Ms. Sherrid,

Thank you for your email to Senator Mayer regarding S9432. The Senator was very disappointed that on December 23rd, the Governor vetoed this bill along with several others of the Senator's (*please see the press release the Senator put out on this, below*). The Senator is planning on reintroducing the bill; we do not have a bill number yet, but hopefully one will be available shortly.

Kind regards,  
Mary O'Sullivan

Mary O'Sullivan | **Outreach Director**  
NYS Senator Shelley Mayer  
222 Grace Church Street, Suite 300  
Port Chester, NY 10573-5168  
914-934-5250

**Subject: \*\*For Immediate Release\*\* Governor Hochul's Vetoes of Mayer's Legislative Proposals**