

11/5/2020

**Village of Mamaroneck Tree Committee
10 November 2020 Agenda**

*Approval of the August Minutes

*Comments from Residents

*Correspondence

- 305 Fourth St. – Request to remove large tree, replace with small one
(*attachments 1 a,b,c*)
- 320 Bishop et al – MetroNorth asking for replacement of removed evergreen
screening along Bishop (*attachments 2 & 3*)
- 130 Beach Ave – declaration of implicit racial bias in tree site selections and
careless proofreading of subtotal labels within proposed list of sites for
new trees; response by TC member Sean Gormley (*attachments 4 & 5*)

*Old Business

Tree Ordinance update

- Ordinance postponed for public hearing pending review of land use boards’
comments and of additional public comments
- Revised list of Recommended Species (*attachment 6*), considerations for
Selecting species to be prepared by BWS (*attachment 7*)
- Comments from Planning Board and BOA (*attachment 8 & 9*), additional
comments from residents (*attachment 10*)

Tree Maintenance Issues -- Please provide street numbers when reporting tree-related
issues

Maintenance:

- 522 Orienta median leaning tree (*attachment 11*)
- 703 and other trees at Palmer Court – remove dead branches
- 119 W. Boston Post Road, Water Treatment Plant, stump for removal (*attachment
12*)
- Johnson Ave. Oaks (*attachment 13*)
- 312 Prospect – Wire mesh around tree (*attachment 14*)

Trees for Evaluation and/or Removal:

- 640 E. BPR on N. Barry, leaning small tree hit by car; Tony left message for
Property owner. Tree is still there, what has happened since? (*attachment
15 a, b*)
- 235 S. Barry Ave, small dead tree (*attachment 16*)
- 300 W. Boston Post Road, small dead tree (*attachment 17*)
- 119 W. Boston Post Road, Water Treatment Plant, dying street tree (*attachment
18*)
- 119 W. Boston Post Road, Water Treatment Plant driveway, dying tree
(*attachment 19*) (County tree?)
- Harbor Island Park entrance to drive (*attachment 20*)`

HIP near Firemen's Memorial (discussed with Barry) Bradford Pear growing within the limbs of healthy evergreen (*attachment 21*)
433 Beach (*attachment 22*)
163 Fulton on Woodbine (*attachment 23*)
Orienta Ave @ Sylvan, median (*attachment 24*)

Violations from July meeting

427 E BPR tree topping (Dunkin Donuts) & violation notice (*attachments 25 & 26*)
717 The Parkway tree topped by residents (*attachment 27*)

Westchester County may plant new trees on County property

Water Treatment Plant, southwest side and driveway
Site reviewed 10/2 by JB, BWS, BC
Rushmore Ave new sewage treatment installation (HIP)

MetroNorth Trees Removed along Bishop and Hoyt

Correspondence regarding VOM removal of dead trees (*Attachment 28*)
See *attachment 2*, above in Correspondence
Trees removed along Hoyt Ave.

Guided Tree Walk October 18

Advertising helped, approximately 20 in attendance

Other Questions

Pruning of larger elms

NYS Grant for inventory, planting, maintenance update, status update

List Creations

Citizen Pruners (*attachment 29*)
Significant / Heritage trees & Guidelines (*attachment 30*)
Guidelines for adding trees to come (Joe)
Recommended species for VOM street trees (*attachment 31*)
Bassuk website of recommended street trees for microclimates (*attachment 32*)

Fall Planting

List of locations (*attachment 33 to come*)
Letters mailed to all property owners; so far six declined
Mulch rings
Four redbuds from 2019 to be relocated (*attachment 34*)

Planning Board

Draft guidelines to be presented annually
Sidewalk repairs using structural soil
Tree well planting guidelines

Distances from stop signs & corners
Ongoing maintenance of trees, particularly street trees
Recommend species suited to locations

*New Business

Test for vermicillium fungus or other pathogen killing maples in Shore Acres

Lab report found wound canker, no evidence of vermicillium fungus (*attachment 35*)

Larchmont Nursery donation (*attachment 36*)

Citizen Pruners

Bullet point description for VOM e-blast (*attachment 37*)
Fall pruning workshop November 14, please RSVP (*attachment 38*)

Con Edison – Request to bury power lines

Con Ed pruning is brutal to trees, which are essential for flood and other
Environmental controls
Regulated by NYS Commission
Burying lines currently above ground may be an NYS cost
Contact neighborhood associations
Ask County for lobbying support
Need analysis of 30-year projected costs of power losses
Need actual costs to Con Ed of last 10 years power losses plus annual pruning
expenses, estimates of cost to residents when so many people are working
online now.

There are two healthy, mature elms in Harbor Island Park near the Firemen's Memorial

Any idea how old they might be?

Invitation for one member of the Tree Committee to join the Harbor Island Conservancy

*Calendar Notes

Next regular meeting *December 17, 2020, 7:30 p.m.*
Pruning workshop November 14, 10:00 a.m. – 2:00 p.m., BYO lunch

Attachment 1-a

From: cmsmailer@civicplus.com <cmsmailer@civicplus.com> on behalf of Contact form at Mamaroneck NY <cmsmailer@civicplus.com>

Sent: Wednesday, September 9, 2020 12:42 AM

To: Nora Lucas <nlucas@vomny.org>

Subject: [Mamaroneck NY] Request for Tree Removal (Sent by Phillip Chun, pschun17@yahoo.com)

Hello nlucas,

Phillip Chun (pschun17@yahoo.com) has sent you a message via your contact form (<https://www.village.mamaroneck.ny.us/user/75/contact>) at Mamaroneck NY. If you don't want to receive such e-mails, you can change your settings at <https://www.village.mamaroneck.ny.us/user/75/edit>.

Message:

Hi,

My address is 305 4th Street (and corner of Rose Lane). There is a very large and old tree on our property along Rose Ln that sits between the sidewalk and the street. My family as well as the other neighbors are concerned about this tree following over in a bad storm such as we had in the past couple of years. I am especially concerned because if this tree were to fall over onto my home, it would cause catastrophic damage and I have 2 small children (4 years old and 7 months old).

The tree is also lifting up the sidewalk which the town has tried repairing by just layering some cement as to prevent tripping. But you can see the cement is already starting to deteriorate. I wouldn't mind a smaller tree replacing this large one.

I am just concerned that this large one will fall over one day and damage my home and possibly severely injure my family. I have provided some pictures as well.

I would greatly appreciate the town seriously considering removing this tree. Or even cutting it to half its height. If anyone would like to discuss this with me, please feel free to contact me.

Sincerely,

Phillip Chun





Attachment 2 -- Metro North Trees To Be Replaced

Re: MTA removing trees

Inbox

Jerry Barberio 10:29 AM (11 hours ago)

to Mark, TreeCom, Mayor, Tony

Thank you Mark. We want to replant the shrubs on Bishop at our expense. We just need the green light from MNR. Regarding Hoyt, I see the stumps will remain or may remain so the vegetation will quickly grow back and eliminate the bare clear cut look. I think most people object to how it looks while I can understand the operations concerns.

Talk soon if I can get that approval to plant slow growing Arborvitae along Bishop.

Have a good one.

Jerry Barberio
Village Manager
Village of Mamaroneck

On Oct 22, 2020, at 10:18 AM, Mannix, Mark <Mannix@mnr.org> wrote:

Hi Jerry,

I am discussing this issue further with our folks that maintain the right of way and will be following up with you.

In the meantime, as background, the trees were removed along Bishop Avenue in 2016 at the village's request (see the attached email) as well as MNR's concern with trees and branches that grow along the tracks and get into our signal and traction feeders resulting in a drop in our track circuits and delays in train service.

As I have mentioned, we have an ongoing effort where our crews are cutting back trees and branches that have the risk of growing/falling onto overhead catenary and signal wires. This

work was taking place last week on the other side of the tracks along Hoyt Avenue which resulted in the recent complaints from residents.

Back in August Tropical Storm Isaias blew over 300 trees across Metro-North's tracks and catenary systems and shut down segments of the railroad for weeks so we need to maintain the area along our right of way and prevent these issues from reoccurring in the future.

Thanks for contacting me,

Mark

From: Jerry Barberio [mailto:jbarberio@vomny.org]
Sent: Thursday, October 15, 2020 12:10 PM
To: Mannix, Mark <Mannix@mnr.org>
Subject: Re: MTA removing trees

Thank you Mark. Mike is a resident on Bishop who lives next door to Natalia.

Thank you,

Jerry Barberio
Village Manager
Village of Mamaroneck

On Oct 15, 2020, at 12:02 PM, Mannix, Mark <Mannix@mnr.org> wrote:

Hi Jerry,

Who are you referring to when you say you spoke with Mike?

In the meantime, now that I am aware of this issue I will look into it and get back to you.

Mark

From: Jerry Barberio <jbarberio@vomny.org>
Sent: Thursday, October 15, 2020 11:02:59 AM
To: nrathbauer@gmail.com <nrathbauer@gmail.com>
Cc: Courtney Wong <cwong@vomny.org>; Mannix, Mark <Mannix@mnr.org>;
michael18@optonline.net <michael18@optonline.net>
Subject: Re: MTA removing trees

I added Mike. I spoke to Mike many times in the past about the same concerns.

JB

Jerry Barberio
Village Manager
Error! Filename not specified.

Village of Mamaroneck
123 Mamaroneck Avenue
Mamaroneck, NY 10543

Phone 914-777-7706
Fax 914-777-7760
E-mail jbarberio@vomny.org

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From: Jerry Barberio <jbarberio@vomny.org>
Sent: Thursday, October 15, 2020 10:53 AM
To: nrathbauer@gmail.com <nrathbauer@gmail.com>
Cc: Courtney Wong <cwong@vomny.org>; Mannix, Mark <Mannix@mnr.org>
Subject: Fw: MTA removing trees

Hi Natalia,

I was very nice talking to you this morning and good luck on the renovations of your lovely home.

Please share your concerns and share my email address so I can collect everyone's concerns for the Westchester County Appointed MTA representative.

JB

Jerry Barberio
Village Manager
Error! Filename not specified.

*Village of Mamaroneck
123 Mamaroneck Avenue
Mamaroneck, NY 10543*

*Phone 914-777-7706
Fax 914-777-7760
E-mail jbarberio@vomny.org*

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From: Karen Johnson <kjohnson@vomny.org>
Sent: Thursday, October 15, 2020 10:21 AM
To: Jerry Barberio <jbarberio@vomny.org>
Cc: Daniel Sarnoff <dsarnoff@vomny.org>
Subject: MTA removing trees

Natalia Rathbauer, 320 Bishop Ave, 914-575-7735, called to speak with the Village Manager about MTA clear cutting trees, and asking for help in replacing them and creating some kind of barrier.

Bought the house 5 years ago and the street was fully lined. MTA has removed all of the trees. Without them there is no noise barrier, and the view is ugly. Real estate value has gone down. They are doing work at night and it's so noisy they can't sleep.

Karen Johnson
Manager's Office Assistant

<image001.jpg>

Village of Mamaroneck
123 Mamaroneck Avenue
Mamaroneck, NY 10543
Phone 914-777-7703

Attachment ____

Bishop and Maple residents concern

Jerry Barberio Thu, Oct 15, 7:56 PM (4 days ago)

to Kateryna, Mark, Mayor, TreeCom

Thank you Katerina for reaching out and discussing your concerns. I have already forwarded your neighbors Natalia and Mikes concerns to our MTA contact to start an open dialogue with the goal of beautifying the Bishop Ave area. Ideally we would want to plant a hedgerow of evergreens to break up the harshness of the stone wall and potential utilize those plants when they grow as a sound buffer. Thank you for your patience. You can email me anytime for an update and I will provide whatever information I can.

Thank you again,

Jerry Barberio
Village Manager
Village of Mamaroneck

On Oct 15, 2020, at 6:38 PM, Kateryna Ulerio <katerynaulerio@gmail.com> wrote:

Mr.Barberio,

My husband and I have purchased a home on the corner of Bishop and Maple Ave a few years back. We absolutely love living here and we both have businesses in town. I have been a Mamaroneck resident for over 16 years now.

When we moved into our new home, the train tracks were a bit of a concern but we tested it but hanging around the area and at the end of the day we didn't find it to be too terrible at all. Not too long after we moved in, the trees lining the tracks were removed and everything changed. We can't sleep, the freight trains at night are impossibly loud. We don't know what to do anymore about the noise level. I am not even going to stress the fact that it is bringing the value of our home and all our neighbors' homes down. We work hard on making improvements in our house and we would like the value to increase not drop due to noise and the unappealing view.

I would like to know what the town and the MTA are planning to do to remedy this situation. Look forward to your reply.

Best,

KATERYNA ULERIO, Real Estate Salesperson

Attachment 4
Declaration of Implicit Racial Bias in Planting Trees
And Sloppy Labeling of Subtotals Within Site List

Implicit Bias in Tree Planting

Inbox

stuart tiekert Wed, Oct 28, 5:48 AM (1 day ago)

to trees@vomny.org, TreeCom

Dear Members of the Tree Committee,

Please see below what I was sent in response to a request for the list of fall tree plantings locations.

First - the list is titled "Fall 2020" but everything else says "2019 Totals"

Second - Will it always be that white, affluent neighbors receive the vast majority of trees planted in the VOM?

Any inventory of trees planted in the last ten years, like current list attached, would should this clear implicit bias.

Its time for Village funds for planting trees benefit all communities not just white ones.

Sincerely,

Stuart Tiekert

.....

**Actually there has been a lot of planting in other areas --
Implicit Bias in Tree Planting**

Inbox

Gormley, Sean
[via mamaroneckvillageny.onmicrosoft.com](mailto:mamaroneckvillageny.onmicrosoft.com)

Wed, Oct 28, 9:20 AM (22 hours ago)

to stuart, trees@vomny.org, TreeCom

Stuart,

Actually we have planted quite a few over in Sunnyside – Florence Park – Beach St area – we have also planted down Halstead towards Sara newmand

And also Stanly ave area ---

We are trying – be patient with us – the greening of the village of Mamaroneck is occurring!

Best regards and as always – thanks for your feedback

sean

.....

stuart tiekert Oct 28, 2020, 9:44 AM (22 hours ago)

to trees@vomny.org, TreeCom, Sean

Sean,

Thanks for the response.

Of course there have been trees planted on those streets, no one is saying that those neighborhoods didn't all get trees also but none of those are the neighborhoods that the Village described and underserved in the Grant proposal.

The 2/3 mile long The Parkway has had over a hundred trees planted over the last ten years.

The Village has fifty two miles of streets.

The TC should have a more equitable way of reforestation, like replacement on the basis of the order of removal instead of planting driven by who knows what.

An inventory of Village trees would also provide an inventory of planting locations and make the job easier.

Thanks,

Attachment 5
Additional Comments From Resident Regarding Implicit Racial Bias

stuart tiekert 6:01 AM (1 hour ago)

to trees@vomny.org, TreeCom

Dear Chairs and and Members of the Tree Committee,

I am writing after receiving the Tree Planting List dated October 18, 2020, it is attached below.

I have some comments:

There are a number addresses that are not valid according to the Westchester County GIS data base, including all the the Richbell addresses, both Waverly Avenue addresses

The Woodbine location has no overhead wires and should take a shade tree.

If the Waverly Avenue locations are even numbers they have no overhead wires and should take shade trees not ornamentals

Please don't forget that there are still eight shade trees at Mangone's, its two years now, they are not getting any better sitting in their yard.

I am struck by the fact the nearly 40% of trees on this year's list are scheduled to be planted in the two areas of the Village, Shore Acres and Orienta, that over ten years have received a wildly disproportionate amount of trees planted by the Village.

Meanwhile. there are zero trees being planted in the neighborhood around Mamaroneck Avenue School which the Village said the following about in the Tree Committee endorsed TD Green Spaces grant application "the Village is committed to focusing on additional tree planting for low-to-moderate income residents first as those residents tend to live nearwhat is considered the Village's heat island."

I walked the neighborhood today and identified no less that fifty prime locations because on Andrew St., Bradford Ave, Gertrude Ave., Derman Ave., Elliot Ave., Ralph Ave. New St., Grand St. and Underhill Ave I could not identify one tree planted by the Village in the last ten years.

If the Village is interested in planting trees equitably in the Village I hope you will consider taking the dozen trees scheduled to be planted for the Beach Point Club and Orienta Beach Club and plant them in on of the underserved neighborhoods in the Village.

Attachment 6
Recommended Street Trees for The Village of Mamaroneck
Proposed by the VOM Tree Committee
10 November 2020

<u>Size Group</u>	<u>Scientific Name</u>	<u>Cultivar</u>	<u>Comments</u>
<i>Note: Street trees must be single stem only</i>			
<u>Small Trees (under 30' maturity)</u>			
Redbud	Cercis Canadensis		
Cockspur Hawthorn	Crataegus Crus-Galli	Inermis	thornless, salt & drought tolerant
Flowering Cherry	Prunus Sargentii	Accolade	persistent fruit
Flowering Crabapple	Malus Sultzyam	SugarTyme	persistent fruit
Trident Maple (1)	Acer buegerianum		
<u>Tall Trees (greater than 30' maturity)</u>			
Honey Locust	Gleditsia triacanthos	Inermis	
Red Maple (1)	Acer Rubrum	October Glory	
Swamp White Oak	Quercus Bicolor		
London Plane	Plantanus acerfolia		
American Sweetgum	Liquidambar Stryaciflua		
<u>Trees on Pause</u>			
Serviceberry	Amelanchier Laevis		Older plantings doing well, more recent new trees are often not surviving, those that survive are not thriving
Japanese flowering cherry	Prunus Serrulata	Kwanzan	Over planted, especially in Harbor Island Park
Red Oak	Quercus Rubra		Over planted
<u>Acceptable Trees for Parks, Not Streets</u>			
American Hornbeam	Carpinus Caroliniana		Wide root spread; understory tree
Littleleaf Linden (1)	Tilia cordata	Greenspire	Wide root spread; ; not tolerant of salt spray
White Oak	Quercus alba		Very large at maturity; Large taproot; not tolerant of salt spray
Silver Linden	Tilia Tomentosa		Wide root spread; aerosol salt tolerant (good for HIP)

(1) *Highly susceptible to verticillium; do not plant in areas that have been badly affected such as Shore Acres.*

Website developed by Nina Bassuk (Urban Forest Institute, Cornell) for tree selection: <https://blogs.cornell.edu/urbanhort/>
Not all her recommendatons have thrived in the VOM microclimates, but this is a very good guide.

Attachment 7
Village Tree Species Selection

Our goals with species selection include diversity, weighted toward native when possible, suitable for our microclimate (which varies even within the village), and in consideration of past experience and changing conditions. I look at aerosol and soil salt tolerance. I look at heat & drought tolerance. There are more considerations that I haven't recalled at this moment. I'm not looking at the official list right now, just telling you some things I consider in selection.

Diversity is especially important because, as The Parkway amply demonstrated, a beautiful street of single species can rapidly pass a pathogen from tree to tree, so we are constantly trying to identify new species to mix in. Shore Acres (again — I know it best), for example, has a lot of red oaks, so I am planting white oaks which have very different immune systems. Maples are not desirable because of the horrible pathogen that wiped out The Parkway and I'm not sure which maples are susceptible. I consulted with Cornell about small species and they recommended a new variety of crab apple that resists everything and is very heat tolerant. It's not pretty in the first few years so I've had some complaints, but it matures to a beautiful tree.

Native when possible, but in the interests of diversity and microclimate, I have used London Planes several years. They don't provide much habitat to the native insect population but they are nearly indestructible as street trees and bring all the other benefits of large trees, like carbon sequestration, heat mitigation (shade), heat/drought toleration (particularly places like Boston Post Road), air filtration, flood mitigation, soil retention.

Microclimate. Trees that are native to our region and on our list have nevertheless not done well in Mamaroneck, such as black gum/tupelo. Don't know why, but almost all the ones we planted have failed. An exception is the one in my front yard, which I staked, watered vigilantly for several years and dose regularly with compost tea and a mineral dust recommended by Frank Buddingh to promote beneficial soil microbe growth. And even it doesn't look so good although it arrived pretty banged up from the nursery.

Experience. Serviceberries were a go-to small tree for a number of years and the older ones are flourishing. More recently, the newly planted ones all failed, maybe there is a new pathogen that they are vulnerable to. Honey locusts struggle for us in the early years, especially on the hotter and more exposed streets like the Boston Post Road. Some years I bring them in for the diversity but try to keep them in residential areas with established canopy. Also, they give a dappled shade rather than the deep shade we are trying to achieve. Trident maples are supposed to work here but the first time we tried them, they all died. Because I am hard up for small species, I used a limited number again this year in hope that the watering program will change the result. Also, hawthorns are good but I have to use varieties that are thornless or we will get complaints. (Personally, I would like to wire all the trees to give electrical shocks to anyone who touches them, but that would be frowned on.)

The list on the website was written more than a decade ago. I believe your friend Stuart was involved with the original list. We have had a lot of time to assess those trees and find new ones. I do a lot of research before adding a tree, and a lot of observation on the performance of species that have been planted in the past.

To: Village of Mamaroneck Board of Trustees
From: Kathleen Savolt, Chair, Village of Mamaroneck Planning Board
RE: Proposed Amendments to the Village's Tree Ordinance – Chapter 318
Date: October 5, 2020



This memo is on behalf of the members of the Planning Board (PB) who thank you for involving us in this important update to our Code. We think this update to our tree ordinance is long overdue and hope this amendment passes expeditiously because the PB has experienced applicants removing trees prior to and during the PB review process.

The Planning Board considered V. 20 at its meeting on July 8, 2020 and has the following notes regarding the proposed Tree Ordinance Amendments:

- William Long, Village Planner, informed us that the revised ordinance is aligned with the Village's 2012 Master Plan and the draft update under current consideration.
- Definitions
 1. There are defined terms that are not used in the text: Substantially Wooded Lot, Tree Contractor, Tree Topping. Although tree topping should be addressed and prohibited in the Ordinance.
 2. Tree Preservation Plan: most often the PB receives a Landscape Plan and/or site plan that includes the information listed in this definition. It is rarely a separate document. The Board needs to see the tree information overlaid with the other actions on the site and would prefer to allow applicants to continue submitting Tree Plans as part of the whole. Therefore, this definition should be expanded to allow for a Tree Preservation Plan to be part of a Landscape Plan or Site Plan if it includes the information contained in the definition.
 3. Protected Tree or Shrub: F. region is not defined. Protected trees should be defined as healthy trees so any damaged or diseased trees can be addressed by property owner.
 4. Right of Way/Street Tree: these 2 definitions should be in sync, i.e., a street tree should be within any right of way as defined.
 5. Drip Line – applies mainly to deciduous trees. Conifers are different.
- Art III – Public Property
 1. 318.5 A4 and B. B is not needed A4 says same thing better.
 2. 318.8 E – can this be extended to a period before application is submitted but after it is contemplated? Not sure how. After any prelim discussions regarding a potential project? A time frame? Not sure how it would be enforced but it is a current issue.
- Art V – Enforcement
 1. Any reference to a C of O should include a temporary one as well.
 2. PB concerned about how effective enforcement can and will be.

- Throughout document
 1. Permits can be granted by multiple parties – Building Inspector, his/her designee, Village Manager, his/her designee. Reference to permits should be clear as to who can authorize. General references to permits should include all the above.

- Issue not in V20 as reviewed by the Planning Bd – online version referred to “severe root pruning.” This reference is not in the version sent to us and is a concern, so we hope it was not removed purposefully.

- PB members also expressed concern with consistency with other sections of the Code since that is a recurring problem during reviews. Mr. Long has identified the following sections that would need to be checked:
 1. Section 342-3 of the Zoning Code – definition of vegetation
 2. Section 342-75(c) – Site Plan Review/Approval requirements

Thank you for this opportunity to comments. The Planning Board would also like to thank William Long and Susan Oakley for their assistance with our review. If anyone has any questions, please feel free to contact me. And for expediency, the members of the Tree Committee are copied on this memo.

cc: Members of the Planning Board
Members of the Tree Committee
William Long



Board of Architectural Review

Village of Mamaroneck
169 Mount Pleasant Avenue - Third Floor
Mamaroneck, New York 10543
(914) 825-8758

Thomas Murphy and Board of Trustees
Mayor

William Bintzer
Chair

To: Agostino Fusco, Village Clerk
Sally Roberts, Deputy Village Clerk

From: Board of Architectural Review *WJ-Planning Staff*

Cc: Jerry Barberio, Village Manager
Daniel Sarnoff, Deputy Village Manager
Robert Spolzino, Village Attorney
Christy Mason, Deputy Village Attorney
William Long, Planning Director

Date: August 21, 2020

Re: **Recommendation Concerning Amendments to the Village's Tree Ordinance – Chapter 318**

Dear Village Clerk's Office:

The Board of Architectural Review (BAR) has the following points of consideration regarding the proposed Tree Ordinance Amendment:

- That the proposed amendment is aligned with the Village's Master Plan from an aesthetic standpoint as trees add to the beauty of the sites, neighborhoods and the Village.
- That there should be additional definitions added to the Code as provided in the attached. (The BAR's additions are in "red" in the attached pdf of the proposed Tree Ordinance.)
- That the numbering system within each "Article" of the proposed Ordinance should start with the number #1 as opposed to a continuous numbering system throughout the Ordinance. The recommended numbering system makes it easier to amend one section without having to renumber the entire ordinance.
- That a "Severability" clause should be added as typically found in most ordinances.

- That the tree ordinance should identify and provide a clear and succinct process as to when and how a determination is made about whether a tree is considered “healthy”.
- That there should be a clear and succinct process for enforcement.
- That a provision should be made about the removal of trees as part of solar panel applications. The BAR is concerned that solar panel companies are influencing/prompting property owners to remove long standing healthy trees to install solar panels. Many of these solar panel companies have “Tree Cutting Divisions”. The solar panel companies’ Tree Cutting Division’s job it is to remove any long-standing healthy trees on private property when the tree(s) obstruct the installation of solar panels. The removal of trees for solar installation is the antithesis of making the Village an environmental-friendly locality especially as it relates to the aesthetic beauty that trees offer. This is very concerning and must be addressed in this ordinance.
- That there should be tougher penalty if a person injures a tree. An injured tree is essentially killing a tree. There should be a succinct penalty for anyone who injures a tree. This presents a technicality absent any mention of this provision.
- While Diameter at Breast Height (DBH) is standard measurement for a tree’s diameter at maturity, the term Diameter at Breast Height is antiquated. Perhaps a better way to classify this is to define “Tree Measurement” as “the diameter or caliper of a tree measured at a point 5 feet above ground level at the base of the tree on the uphill side.”
- That there should be alignment and compatibility between:
 - the definition of “Vegetation” (Section 342-3 of the Zoning Code);
 - the requirements for Site Plan Review/Approval (Section 342-75(c) of the Zoning Code);
 - the definition of “Vegetation” as the BAR is proposing in the amended tree ordinance; and
 - the definition of “Clear Cutting” as proposed in the amended tree ordinance.

The BAR finds these recommendations to assist in providing clarity for the public, the Boards, applicants and any other interested stakeholders.

Re: Tree Law Input

Nora Lucas <nluucas@vomny.org>

Tue 9/29/2020 7:49 PM

To: ELIZABETH.KARPILOFF@VERIZON.NET <ELIZABETH.KARPILOFF@VERIZON.NET>; Mayor and Board <MayorandBoard@vomny.org>

Cc: Joseph W. Karpiloff <joseph.karpiloff@verizon.net>; TreeCom <TreeCom@vomny.org>

Dear Elizabeth,

Thank You...Tree Committee is reviewing all comments and I expect a revised law in November.

Forwarding your comments to them now.

Best,

Nora

From: Elizabeth Karpiloff <elizabeth.karpiloff@verizon.net>

Sent: Tuesday, September 29, 2020 6:22 PM

To: Mayor and Board <MayorandBoard@vomny.org>

Cc: Joseph W. Karpiloff <joseph.karpiloff@verizon.net>

Subject: Tree Law Input

Dear all:

Thank you for taking the time to craft the tree protection law.

As homeowners, we have serious concerns about:

Article IV - S-318-7 B-1 - The Village pruning my trees without telling us and making us pay for it.

Article IV - S-318-7 C - The Village being allowed to prune or remove our trees and charging us the unmonitored expense to do so, and charging usurious interest if the homeowner does not pay.

Article IV - S-318-7 D - The Village being allowed to enter *private property* under the pretext of a "dangerous tree" without permission from the homeowner. No thank you!

Do you see why many homeowners in the Village are seriously concerned about the wording and execution of these points in your proposed legislation, and do not wish to see them implemented?

Please seriously reconsider the above points to protect the existing rights of individual homeowners.

Best regards,

Liz Karpiloff

Proposed Local Tree Law

Robert Basile <rbasile@gmail.com>

Tue 9/29/2020 8:57 PM

To: Mayor and Board <MayorandBoard@vomny.org>

Good evening,

My name is Robert Basile, and I live on North Barry Ave. While I understand and agree with the need to preserve natural resources, the proposed tree law as currently written puts an undue financial burden on homeowners, especially those who live on small lots.

Even the healthiest trees have root systems affected by suburban development, like roadways, buildings, and underground services, and therefore are at risk of tipping or falling. This is even before considerations like Hurricane Isais, which decimated the power grid of this entire county largely due to tree trunks and limbs taking down power lines. Many of those trees and limbs were otherwise perfectly healthy, but 60 mile per hour winds do not discriminate.

If a homeowner's property has a tree leaning too far towards their house, or an overhanging limb threatening their home in some way, they should not be forced to pay first for an arborist and then again for a permit to remove the liability. The current exception for trees less than 8" in diameter does not accurately address the issue - certain trees, like eastern white pines, sugar maples, and poplars grow incredibly fast and can quickly attain the 8" trunk diameter specified. A yard that was not perfectly maintained for even a few years could have several trees whose sizes are out of place with the scale of their lot and dwelling that will cause problems in the near future.

Protecting the small amount of nature that we have around us is very important, but this is a suburban community, and the vast majority of this village does not consist of large lots and contiguous woodlands. Parks, river's edges, and public property should be at the forefront of the village's efforts towards tree protection. Homeowners should not have to bear this financial burden of reasonably protecting their homes.

Thank you,
Robert

1406 Birch Hill Lane
Mamaroneck, NY 10543
914.381.1749

Begin forwarded message:

From: "Thomas A. Murphy" <tmurphy@vomny.org>

Subject: Tree Law, please take the time to read

Date: September 22, 2020 at 12:50:32 PM EDT

Dear Friends,

Attached is a very important and far reaching law that the Village of Mamaroneck will be considering at a public hearing on September 29 at 7:30 pm. This law potentially effects every property owner who has a tree.

The law is intended to save and protect our suburban forest and put the proper value on our trees from which we all derive so much benefit. Please take the time to read the law and if you can't participate via ZOOM on the night of the hearing please contact the Board of Trustees with your thoughts at mayorandboard@vomny.org. Information on how to participate via ZOOM will be available on the Village website.

I thank the Village Tree Committee for working long and hard over many years to try and fashion a law that will work for Mamaroneck.

Please wear your masks. They have been shown to be the best protection against contacting and transmitting COVID-19. Social distance whenever possible. Wash hands often. Health professionals are also recommending getting a flu shot. (I got mine yesterday). Enjoy the first day of Autumn!

Respectfully,

Tom Murphy

Mayor, Village of Mamaroneck

! Tree Law - Comments and Objection

Veerle Roovers <veerle.roovers@gmail.com>

Tue 9/29/2020 4:53 PM

To: Mayor and Board <MayorandBoard@vomny.org>

Cc: Thomas A. Murphy <tmurphy@vomny.org>

Dear Mayor and Board of Trustees:

As a resident and homeowner in the Village of Mamaroneck, I fully support the intent of the Village to maintain and increase the number of trees on Village territory. However, Proposed Local Law B - 2020 is the wrong way to proceed and should not be enacted, for the reasons set forth below, that I ask the Board to consider and enter into the record of today's hearing:

1. Trees provide a benefit to the community. Therefore, it is not right to put the burden to maintain trees disproportionately on individual homeowners, randomly based on the number of trees they currently have on their property. The Village should provide a **tax credit or other tax incentive** to individual homeowners, rather than charging penalties and permit application fees, and require expensive arborist reports. Through a tax credit/incentive, individual homeowners will engage in behavior that benefits the community. It will be a win/win for the community and the homeowners.
2. The proposed law **unfairly discriminates against homeowners who have trees on their property**. Indeed, the proposed law punishes homeowners who have kept and maintained trees on their property, with additional burdens. Occupants of houses or apartment buildings with no or a minimal number of trees receive the benefit of the tree law but carry NONE of the burden. A zero cost tax system that calculates the average number of trees for a particular parcel of land could easily be developed. Parcels with zero or minimal trees should pay additional tax, and parcels with more trees should receive a tax credit or incentive. This way of proceeding does not impose any cost on the Village and, when calibrated correctly, will incentivize homeowners to plant trees.
3. In the long term, the law as currently drafted actually **disincentives** homeowners to plant trees on a voluntary basis and, therefore, diminishes the character of the Village that the law is intended to protect.
4. The proposed law **unfairly discriminates against owners of larger parcels of land**. For example, proposed Section 318-8(C) (Removal of Trees on Private Property) allows the Building Inspector not to grant a permit to remove a protected tree on private property where the owner seeks to remove more than three protected trees or has removed more than three protected trees during the preceding 36 months. The number "3" is arbitrary. The majority of homeowners in the Village of Mamaroneck do not have more than 10 protected trees, so these individuals will generally receive a permit to remove 30% or more of their trees. Homeowners with a larger number of trees may, in the discretion of the building protector, be refused such permit. All **homeowners should be entitled to remove the same proportion of trees compared to the overall number of trees on their land**.
5. **It should be sufficient that the arborist is certified. It is unreasonable and unnecessary to require that this arborist should be chosen by the Village Manager.** The arborist's certification provides assurance that the arborist is qualified. See Proposed Section 318-8(B)(2), (G), (H).
6. Proposed Section 318-7(B) should, at a minimum, include a **notice requirement** to the individual homeowner before the Village causes a tree to be pruned at the property owner's expense.
7. Proposed Section 318-7(D) should state that the complaint must be "credible" before the Village has the right to enter private property in connection with the proposed tree law.
8. Proposed Section 318-8(G)(1): The required replacements should be possible under the circumstances, which

are to be considered on a case by case basis. Making the replacements set forth under 318-8(G)(1)(a) mandatory is not fair in all circumstances and may violate the homeowner's rights to his property. For example, **if trees are cleared that are standing too close to another, it is not reasonable to require that a large number of trees is planted to replace the removed tree(s)**. Instead, the replacements should be an option that can be imposed on a homeowner, not an obligation in all circumstances that does not take the actual situation into account.

For the reasons stated above, I urge the Board to reconsider, and not enact, the law as currently proposed

Sincerely,
Veerle Roovers

Proposed law

Thomas A. Murphy <tmurphy@vomny.org>

Tue 9/29/2020 8:32 AM

To: TreeCom <TreeCom@vomny.org>

Cc: Mayor and Board <MayorandBoard@vomny.org>

Dear Tree Committee members,

I wanted to give you some of my feedback on the law that has been informed by my own reading and the comments of residents. I will make this as concise as possible.

My concerns,

A) The Village going onto private property is concerning to me both from a liability stand point and a privacy perspective.

B) If a resident is taking down a tree for an addition and we require them to plant many trees to replace it might we be denying them the use of their yards? Especially in R-5 and R-6 districts where the lots are already tight?

C) I am still concerned that there is too much stick and not enough carrot.

I voice these concerns now because I want to fashion a law that will be effective, will be accepted by the majority of homeowners and that can be approved by the Board of Trustees. I think it is only fair to be open about this as one of five votes on the Board.

I am very grateful for all the hard work you have put into this and all of the work that you do everyday to preserve our urban forest. I believe that we will get there. Thank you for your perseverance and Herculean efforts to date.

Respectfully,

Tom Murphy

Mayor, Village of Mamaroneck

Proposed Local Tree Law

clwolkoff@verizon.net <clwolkoff@verizon.net>

Mon 9/28/2020 9:50 PM

To: Mayor and Board <MayorandBoard@vomny.org>

 1 attachments (92 KB)

Wolkoff Comments on Proposed Local Tree Law 9282020.pdf;

Dear Mayor Murphy and Trustees Lucas, Tafur, Wenstrup and Natchez,

Attached are our comments on the proposed Local Tree Law. While we are generally in favor of the law, we have some specific concerns relating to "Dangerous Trees."

If the schedule works, I will attend tomorrow night's meeting by Zoom, but I wanted to make sure you got these comments whether or not I participate in the Zoom hearing.

Thanks for considering our comments.

Claire Wolkoff
890 Pirates Cove

clwolkoff@verizon.net

home phone: 914-698-4659

September 28, 2020

Dear Mayor Murphy and Trustees Lucas, Tafur, Wenstrup and Natchez,

We are writing to share our comments on the proposed Local Tree Law (Chapter 318). We agree with the overall goals of the law, but have some specific concerns and comments.

Dangerous (unhealthy and at-risk) Trees

The new bureaucracy established under the proposed Tree Law may be appropriate for developers who often clear-cut properties to remove existing trees in order build new homes and for homeowners who want to remove trees in order to make additions to their homes or add other structures (e.g., a swimming pool). We are not going to address those situations. Rather, we are concerned about the procedures to remove fallen, unhealthy and at-risk trees. These concerns are based upon losing trees in major storms.¹

1. Take the situation where a tree falls during a storm, e.g., numerous trees fell during Tropical Storm Isaias. Clearly the tree needs to be removed as quickly and safely as possible. Section 318-8 J. addresses emergency removals. If a tree falls to the ground during a storm or falls against the house, is this deemed to be a removal for purposes of this Law? Why does the homeowner need to submit a tree removal application (and pay the related fee) after the fact? Is the homeowner obligated to replace the tree (in accordance with the table in section 318-8 G) even if it was “Mother Nature” and not the homeowner who removed the tree?

2. Section 318-8 B(2) appears to change current practice for determining whether a tree is a potential danger. Under current practice, the homeowner contacts his/her own tree company and its certified arborist makes the determination. Under the new law, the Village Manager, his designee or a certified arborist chosen by him makes the determination (at the property owner’s expense). This would appear to slow down the process of getting tree determinations made, especially after a large storm when many residents want their trees examined.

3. Section 318-8 C. states that the Building Inspector may not grant a permit to remove a protected tree on private property if the property owner has removed more than three protected trees during the preceding 36 months. There need to be different rules for removing unhealthy trees (and those that Mother Nature removed). We live in a neighborhood with many mature trees and it is not surprising that many of them reach their life expectancies at roughly the same time. We had one protected tree fall during Isaias and our arborist has determined that two trees (one of which would be considered protected) in the same area are unhealthy and structurally weak. The Building Inspector must be able to grant a permit to remove unhealthy protected trees regardless of how many trees have been removed during the preceding 36 months!

¹ Large oak tree fell into our house in the nor’easter of Dec. 1992. Another tree fell on property a few months later and we subsequently removed some weak trees. Most recently, a horse chestnut tree fell against our house and blocked the driveway in Tropical Storm Isaias in Aug. 2020. Arborist has proposed removal of two other trees and has scheduled the work.

4. Section 318-8 F(3) gives the Building Inspector 21 days to approve or deny an application. In the case of an unhealthy or weak tree, a 21-day wait increases the risk of the tree falling and doing potentially more damage.

5. Section 318-8 H: What happens if the Building Inspector and Village Manager deny a permit to remove a tree that was deemed at-risk by the homeowner's original arborist? In the event the tree falls and does further damage, who would be responsible? Is the Village responsible if it denies a permit recommended by another arborist?

6. Section 318-9 B addresses fines for removing a tree without a permit. (Once again, we are asking about unhealthy trees, not trees where removal is to accomplish another building purpose.) Suppose our arborist has advised removing a weak tree, a hurricane is predicted and the Building Inspector hasn't acted on the required permit. The prudent thing to do would be to go ahead and remove the tree. That hardly seems to merit a fine of not less than \$1,050 or more than \$5,000. It appears that these rules have been written to address situations where homeowners want to remove trees to make additions so that a delay in providing a permit is simply an annoyance. That is different from the situation with an unhealthy tree in a storm.

Other Comments

1. ANSI A300 Standards: How is the Village currently making these standards available? Public review in the office of the Building Inspector is not feasible during the Covid-19 pandemic. It appears these standards are not freely available on the internet and can only be purchased.
2. Please define "Right-of-way". We understand that a section of a homeowner's property abutting the street is technically Village property under the right-of-way rules. Please clearly define this. It is important to be able to understand the rules in Section 318-7 A.(1) pertaining to pruning. For example, if an area does not have a sidewalk, does this section simply mean that pruning must make sure that branches don't obstruct or overhang eight feet above the street, or does it mean they can't obstruct or overhang eight feet above a section of grass abutting the street?

Thank you for considering these comments.

Sincerely,



Claire L. Wolkoff
clwolkoff@verizon.net



Allan W. Wolkoff, M.D.
awolkoff@verizon.net

890 Pirates Cove
Mamaroneck, NY 10543

Proposed Local Law- B-2020

Marianne Trotta <m.trotta@verizon.net>

Sun 9/27/2020 10:42 PM

To: Mayor and Board <MayorandBoard@vomny.org>

To the Mayor and the Board:

With regard to the proposed tree law, I believe this law is too much of a government overreach into our lives. You are proposing too much of an intrusion onto private property rights. Most of the village residents pay an average of \$12-\$16,000 per year in taxes, and then the Village requires us to get a permit to remove a tree on our own property?

I love trees. I have 45 trees on my property, many of them arborvitaes. But I don't think it's necessary for the government to dictate to a private property owner that the owner cannot remove a tree without a permit and without planting another tree. I have so many trees that if one were diseased, I might not want to replace it. Trees are very expensive to maintain if you are serious about proper maintenance. Maybe I don't want to incur the expense of buying, planting and maintaining another tree after losing one – why should I be forced to?

If a tree dies, or is diseased, the property owner should be allowed to remove the tree and not be forced to replace it, *especially if the owner has a number of other trees on the property*. Certainly the property owner should not be forced to have to try to replace the mature tree with a tree equal to the same size tree -- in many instances you can't even find the same size tree to replace a large one, and if you could find one the same size, it could be really expensive to buy it and then to plant it. How is it fair for the Village to force this kind of expense onto the property owner? And a solution is not to say the law would allow the property owner to replace the removed tree with 2 or 3 other trees - that is ridiculous. Those 2 or 3 trees the property owner would have to plant grow up to be big trees and they may take up way too much room collectively, or ruin the look of the landscape.

This all boils down to too much intervention into the property owner's rights. The Village needs to allow the property owner to have more say in the decision of replacing a tree that is removed. Sometimes we can't afford to replace a tree and maintain it. Sometimes we'd rather plant flowers, or bushes or something else. But don't force us to replace trees regardless of the circumstances. If the proposed law were to provide some leeway for the property owner to provide an explanation of why they decide not to replace a tree, and allow the owner's request to be considered -- in other words, provide some mechanism for the homeowner to explain why they don't want to replace a tree, and give the property owner some way to be heard and for their request to be considered. Don't just dictate to us what must be done to our own landscape, our own property. Allow us as property owners to have a role in the decision-making process or replacing a tree.

Sincerely,

Marianne Trotta
206 Florence Street
Mamaroneck, NY 10543

Tree preservation law

Gina von Eiff <gvoneiff@gmail.com>

Thu 9/24/2020 6:00 PM

To: Mayor and Board <MayorandBoard@vomny.org>; Sally Roberts <sroberts@vomny.org>

Saly, for the record,

I found the below and find out so hypocritical that our village wants to control trees on private land and at the same time wants to destroy trees and habitats to allow development closer to the river. So sad.

Why We Have Tree Preservation Laws

The Village of Irvington finds that the existence of trees within the Village makes a fundamental contribution to the health, safety and general welfare of Irvington citizens and the community at large. Trees, in addition to their aesthetic benefits, are essential to riparian habitat, wildlife, energy conservation, temperature moderation and the healthy ecology of the area; trees help improve air quality and reduce global warming. These benefits to the community and environment increase as trees mature. Maturation of trees protects surface water quality, provides shade, offers windbreaks, controls water pollution by reducing soil erosion and flooding, offers a natural barrier to noise, yields advantageous microclimates and fundamental ecological systems. Trees, together with shrubs, contribute to property values of residential and commercial establishments, and preserve and enhance the natural beauty and appearance of the Village and its historic, non-urban character.

Indiscriminate damage to and destruction of trees, especially mature and/or specimen trees and shrubs, cause barren and unsightly conditions, adversely affect air quality and noise levels, increase surface drainage problems and soil erosion, increase municipal expense to control drainage, impair the stability and value of developed and undeveloped property and negatively impact the health, safety, environment, ecosystems and general welfare of the inhabitants of the Village of Irvington. The unregulated destruction of trees contributes to the degradation of the natural beauty, environmental quality and historic character of the Village.

Re: Tree Law

Nora Lucas <nluucas@vomny.org>

Thu 9/24/2020 2:50 PM

To: Jerry Barberio <jbarberio@vomny.org>

Cc: Beverly Sherrid <bsherrid@optonline.net>; Gail Koller <gail.koller18@gmail.com>

You are the best. **In Pink.**

From: Jerry Barberio <jbarberio@vomny.org>

Sent: Thursday, September 24, 2020 2:38 PM

To: Nora Lucas <nluucas@vomny.org>

Cc: Beverly Sherrid <bsherrid@optonline.net>; Gail Koller <gail.koller18@gmail.com>

Subject: Re: Tree Law

- The degree of difficulty of planting 4 to 8 trees on a 50 x 100 lot (1/8 of a acre). Hernane raised it - and we considered allowing people to donate the trees to the Village, but was dropped b/c we don't want folks to be able to buy themselves out of saving trees. Wonder if we could allow folks on small lots to do it. **We should allow them to plant two trees... no more. If they have double the space (1/4 acre), they can plant 4. I'm not sure if we could ask them to plant more, but we can ask them to plant larger caliper trees, so we are making up the canopy size in a way. So, I guess we have to amend the law to say that.**
- If a tree is compromising sewer lines, that would be a reason for removal **Yes. It is a problem for public health reasons...** but they would still have to plant replacement trees. **We would require them to replant trees in an area of no conflict. As above?**
- If a tree is removed on an emergency basis - they would still have to replace the appropriate number. **Yes. The emergency would be used to eliminate the risk to the best of our ability. Ok, Bev and I thorough so, but were not sure, so maybe we spell it out.**
- "Trespass" on private property. We need to explain that it is the same issue as a code violation, the Village has that authority now in case of dangerous situations. How does this work in practice with a possible code violation? **We are in a tough spot on this. We will ask permission and if not granted, we could not enter.** How is "reasonable cause" established? **I don't think resonable cause applies here unless the dangerous situtation is visable from street or from a photo from neighbor/resident. Proposed law uses the phrase "reasonable' cause.**

U. Village right to enter private property. When a complaint is filed that a dangerous tree exists on private property, the Village Manager or the Village Manager's designee, upon determining that there is reasonable cause to believe that the tree is dangerous, may enter upon private property to determine if the tree is a dangerous tree and to treat or remove the tree.

- Fines - can we distinguish between homeowners and builders? Seems unfair if not illegal. **Property owner is the best term we could use. Agreed**
- Clear cutting ---so the homeowner just clear cuts prior to selling it to the developer. **Hard to**

regulate and manage against or stop except we can alert the PB or ZBA about the issues and they can include it in the developers review process. **So, I think we leave as is.....**

- TC's discussion from August of an evaluation of what kinds of trees went down. Healthy or sick? Village or Private? **Most were healthy trees (large canopies but compromised root systems) and I estimate 75 percent were village trees. Are there any lessons we could learn from this to apply for going further?**
- Tree Canopy - do we have an answer to Karrie Sergio's question (above or below 40%). *Out of curiosity, what is the percent of the tree canopy in the Village of Mamaroneck? Are we below forty percent?* **According to the Urban Forest Tree Inventory Report 2018 (page 6): The recent i-Tree Canopy analysis found that 46% of VOM is covered by tree canopy, while almost a third (29%) of the village is covered by impervious surfaces that repel stormwater (roads, buildings, etc.). So, like the census, we have outdated info till we complete the inventory. For every large tree that went down over the past 4 years, we planted some # of small trees, but canopy could have decreased.**

Considering that HCZMC has not reviewed the law and we still don't have the PB and ZBA comments, I think the BOT will need to adjourn the public hearing for 4 weeks (**I agree**) (to give time for HZCMZ comments) and in between maybe we can use the time evaluate the comments to see what we might want to consider addressing, either in the law or at the public hearing. Whether or not we submit a new law, or hold the hearing on this, it would be good to have considered and be able to address these concerns. **I agree. Ok, and ok, will work on that.**

THANKS, THANKS, THANKS

Jerry Barberio

Village Manager

Original Vill of Mamk logo Printcraft_test copy

*Village of Mamaroneck
123 Mamaroneck Avenue
Mamaroneck, NY 10543*

Phone 914-777-7706

Fax 914-777-7760

E-mail jbarberio@vomny.org

**To Our Mamaroneck
Essential Employees
Health Care Workers
&
First Responders**

THANK YOU



From: Nora Lucas <nluucas@vomny.org>

Sent: Thursday, September 24, 2020 1:50 PM

To: Jerry Barberio <jbarberio@vomny.org>

Cc: Beverly Sherrid <bsherrid@optonline.net>; Gail Koller <gail.koller18@gmail.com>

Subject: Tree Law

Dear Jerry,

Have a couple of questions, that we should have answers for in time for Tuesday's hearing. - but I know you are super busy with the conference today and tomorrow. Maybe we can talk Monday.

- The degree of difficulty of planting 4 to 8 trees on a 50 x 100 lot. Hernane raised it - and we considered allowing people to donate the trees to the Village, but was dropped b/c we don't want folks to be able to buy themselves out of saving trees. Wonder if we could allow folks on small lots to do it.
- If a tree is compromising sewer lines, that would be a reason for removal...but they would still

have to plant replacement trees.

- If a tree is removed on an emergency basis - they would still have to replace the appropriate number.
- "Trespass" on private property. We need to explain that it is the same issue as a code violation, the Village has that authority now in case of dangerous situations. How does this work in practice with a possible code violation? How is "reasonable cause" established?

U. Village right to enter private property. When a complaint is filed that a dangerous tree exists on private property, the Village Manager or the Village Manager's designee, upon determining that there is reasonable cause to believe that the tree is dangerous, may enter upon private property to determine if the tree is a dangerous tree and to treat or remove the tree.

- Fines - can we distinguish between homeowners and builders? Seems unfair if not illegal.
- Clear cutting ---so the homeowner just clear cuts prior to selling it to the developer.
- TC's discussion from August of an evaluation of what kinds of trees went down. Healthy or sick? Village or Private?
- Tree Canopy - do we have an answer to Karrie Sergio's question (above or below 40%)

Considering that HCZMC has not reviewed the law and we still don't have the PB and ZBA comments, I think the BOT will need to adjourn the public hearing for 4 weeks (to give time for HZCMZ comments) and in between maybe we can use the time evaluate the comments to see what we might want to consider addressing. either in the law or at the public hearing. Whether or not we submit a new law, or hold the hearing on this, it would be good to have considered and be able to address these concerns.

Nora

Re: Proposed Local Tree Law

Nora Lucas <nluucas@vomny.org>

Thu 9/24/2020 1:46 PM

To: hmdure <hmdure@optonline.net>; Mayor and Board <MayorandBoard@vomny.org>

Cc: TreeCom <TreeCom@vomny.org>; Jerry Barberio <jbarberio@vomny.org>

Dear Mr. Dure,

Thank you for your comments. I will make sure they are included in the public hearing comments next week. Additionally, the Tree Committee, with the support of BOT and staff, is committed to planting and maintaining public trees to increase the Tree canopy and to keep our village green.

Last summer, our administration completed a tremendous paving effort after years of the Village's neglecting paving, and we have established a regular schedule, so that roads are paved regularly.

Best,

Nora Lucas

From: hmdure <hmdure@optonline.net>

Sent: Wednesday, September 23, 2020 9:30 PM

To: Mayor and Board <MayorandBoard@vomny.org>

Subject: Proposed Local Tree Law

Dear Board of Trustees:

When it comes to trees on private property, the Village has no right in determining whether the owner can or cannot cut a tree. I do not support the articles pertaining to the trees on private property. As a property owner, I should have the freedom to decide what to do with the trees on my property and if I want any trees, this is my right, my choice, it is my property.

The Village should dedicate its efforts in maintaining the public trees and roads. Also, the sea wall at Harbor Island is in desperate need of some major repairs, what is being done about this? This should be top of mind.

Thank you.

September 21, 2020

Dear Mayor and Trustees of the Village of Mamaroneck

RE Tree Law

We are adding comments to our original letter addressed to the Mayor and Trustees on Feb 3 concerning the new proposed tree law.

Five generations of our family have owned and occupied the property at 1505 Stoneybrook Ave which would be adversely affected by the proposed tree law. The property includes a house on one parcel and an adjoining partially wooded lot. As was stated before, we have spent thousands of dollars managing our property dealing with problematic trees etc., including diseased, stressed, fallen trees, trees leaning on wires, trees taking down utility wires, etc. Trees are very expensive!

The authors of the proposed tree law suggest that trees especially mature ones and their canopies offer nothing but benefits. On the contrary... as witnessed during recent storm "Isaias" and other storms trees can cause havoc especially around utility wires and poles both publicly and privately. Trees grow healthy and unhealthy because of insects, animals, disease, unsuitable growing conditions, etc. They can fall when their root systems fail and they can blow down. Trees rot, produce pollen, leaves, dead branches, etc. When trees reach maturity they can be much more prone to having problems and causing problems which even without this proposed law are very expensive to correct.

A Village tree fell from Beaver Swamp Brook during the storm "Isaias" striking our daughter's home at 1505 Stoneybrook Ave luckily causing only minor damage and no injuries. The cleanup cost of the tree was considerable.

We think the Village would be better off using the proposed tree law for Village trees. Perhaps you might consider to inventory all

Village trees and have an arborist periodically check on all of those trees. Maybe if that were done the Village tree would not have fallen on our property. It would be interesting to know the number of trees the Village owns, mature trees, their locations etc.

The total portion of the tree law as it pertains to private property needs to be rescinded. The portions dealing with tree removal and protected trees is particularly "extremely troubling."

If the proposed local law becomes implemented it will disproportionately affect our property negatively since we have an unusually large number of trees - especially mature ones.

Thank you for your consideration.

Sincerely, Carol & Henry Miller

Proposed Tree Law

Kar <knfcgs@yahoo.com>

Wed 9/23/2020 6:15 PM

To: Mayor and Board <MayorandBoard@vomny.org>

Dear Mayor and Board,

I am writing to you regarding the proposed tree law. Where to begin? I suppose first I should say right off the bat that I do not support this proposed tree law as is.

While I do love trees and fully understand their importance and what you are trying to accomplish, after a tree in my backyard snapped in half during Hurricane Sandy and came through my kitchen roof nearly killing me and my two kids, let's just say I love trees a little less, especially during storms with strong winds.

Aside from builders looking to clear a lot for development, I don't believe that any resident enjoys or wants to remove a tree. Tree work is quite costly and usually only done when the homeowner feels it's absolutely necessary to improve conditions of their property or they have a dead, diseased or damaged tree. If a homeowner feels it's necessary to remove a tree they don't necessarily want to replace it or they probably wouldn't have removed it in the first place (unless it was dead, diseased or damaged). Maybe the tree grew much too large and created more shade in their yard thereby affecting their garden plantings, or maybe its roots are uplifting their sidewalk or encroaching on their sewer line. Whatever the reason, a homeowner's decision to remove a tree on their PRIVATE property, property that they pay exorbitant taxes on, is exactly that, THEIR decision, and no local law should seek to control that decision in any such manner, especially in a way that is a financial burden to the homeowner. Everything in your proposed law is at the expense of the homeowner!

As for the Village's right to enter private property without permission from the homeowner, no, just no.

If you want homeowners to file a permit there should be no charge as it is costly enough to have any tree work done. Having to pay for a permit for something no one wants to spend money on in the first place would just be salt in the wound.

Requiring homeowners to replace a tree that is removed based on the removed tree's size is absurd. We have two huge Sycamore trees in our front yard. They are absolutely magnificent! We've toyed with the idea of taking them down over the years for various reasons, especially after Hurricane Sandy; the amount of leaves and bark they shed make for arduous, never-ending yardwork and we have to have our sewer line snaked four times a year to clear the line of their invading roots. Based on your proposed law, if we removed one or both trees we would have to replace them with four to eight trees! That would be absolutely ridiculous to plant four to eight new trees on my property unless I wanted to live in a forest, which I don't, never-mind the cost!

As for the fines you want to impose, I understand they are to be a deterrent to the removal of trees but I find them to be excessive and there should be a distinction between fines for homeowners and builders. I think builders are the ones you would have to worry about clear

cutting a property.

Out of curiosity, what is the percent of the tree canopy in the Village of Mamaroneck? Are we below forty percent?

Sorry for the lengthy email but I felt it was important to explain why I do not support the proposed law as it is currently written. I appreciate all the hard work of the BOT, as well as all of its other boards and committees, and for taking my thoughts into your consideration.

Thanks so much,
Karrie Sergio

proposed tree laaw

batonick <batonick@verizon.net>

Wed 9/23/2020 2:08 PM

To: Mayor and Board <MayorandBoard@vomny.org>

We are long time residents and home owners in the Harbor Heights area. We have read the proposed tree law and have several comments. We love having trees in our community but find this law very restrictive and controlling in the following ways:

1.Home owners should be able to choose their own arborist as long as the arborist is licensed in Westchester. We have dealt with a tree service for many years and we would not be pleased to be instructed by the village which service we could employ.

2.The permitting procedure seems very lengthy and cumbersome. Why so many steps and so much over site and so many approvals that undoubtedly will take longer than the suggested 21 days?

3 The fee to obtain a permit seems petty. If the village wants over site okay but since we are all village tax payers why require people to pay more .

4 The requirement to replace trees seems a burden as some trees are taken down to make way for other uses on the property such as play areas etc and some trees that are taken down have such extensive root systems that there is no way to plant anything and thus your proposed requirement would be impossible to meet. If a home owner takes a tree down to provide space for another use it seems they be able to replant. Some properties are not very large and it seems home owners should be able to use their land according to their needs as long as it is not offensive to their neighbors.

5 Regarding village trees at the curb side of home owners property, either the village needs to make a REAL commitment to water them and care for them or the village needs to encourage residents to care for them otherwise tax payers' money is wasted as the trees die. What sense does it make to tell residents not to touch them if the village is not really taking care of them?.

6 If one tried to use this procedure as presented it feels like it would not be an easy process. When procedures are viewed as complicated usually compliance.is greatly reduced.

Carol and Dan Batonick
batonick@verizon.net

Re: Tree Law

Chris Sergio <christopher.g.sergio@gmail.com>

Wed 9/23/2020 12:30 PM

To: Nora Lucas <nlucas@vomny.org>

Cc: Thomas A. Murphy <tmurphy@vomny.org>; Mayor and Board <MayorandBoard@vomny.org>; TreeCom <TreeCom@vomny.org>

I honestly don't think there's a tree related issue that would require entering a private property without contacting the homeowner first. I would have no problem allowing someone onto my property if they told me they thought there was a safety issue with a tree. In fact - I hope the Village would tell me if they were aware of a safety issue on my property....but it seems very authoritarian to not have the courtesy of contacting the owner of the property before entering a private property. The law doesn't appear to reference any attempt to contact the homeowner first and maybe it should.

Thanks .

On Wed, Sep 23, 2020 at 11:16 AM Nora Lucas <nlucas@vomny.org> wrote:

Hi Chris,

You are welcome.

Regarding the Tree Law, are you asking about the Villages authority to enter a private property, do you mean pruning or investigation of and possible removal of a dangerous tree?

Yes, Dog Park is a really positive initiative!

Best,

Nora

From: Chris Sergio <christopher.g.sergio@gmail.com>

Sent: Wednesday, September 23, 2020 10:09 AM

To: Nora Lucas <nlucas@vomny.org>

Cc: Thomas A. Murphy <tmurphy@vomny.org>; Mayor and Board <MayorandBoard@vomny.org>; TreeCom <TreeCom@vomny.org>

Subject: Re: Tree Law

Hi Nora ,

Thanks for the quick response. I understand the desire to replace trees that have been removed....but being forced to plant eight trees on my 100x100 lot is excessive. Some other feedback: 1) I find it offensive that the Village thinks they have the right to trespass on my property whenever they want, 2) I understand the need for fines to discourage tree removal but I think there needs to be a distinction between fines for owner-occupied properties and builders

On Tue, Sep 22, 2020 at 3:48 PM Thomas A. Murphy <tmurphy@vomny.org> wrote:

I thought it was but here it is cc'd

Respectfully,

Mayor Tom Murphy

From: Chris Sergio [mailto:christopher.g.sergio@gmail.com]

Sent: Tuesday, September 22, 2020 7:23 PM

To: Thomas A. Murphy <tmurphy@vomny.org>

Subject: Re: Tree Law

Was my e-mail forwarded to her for comment? If not - do you have her e-mail address? I'd like to find out if I need to plant eight trees on my lot.

Thanks .

On Tue, Sep 22, 2020 at 2:10 PM Thomas A. Murphy <tmurphy@vomny.org> wrote:

I don't know off hand Nora has been the liaison to the Tree Committee perhaps she has more insight.

Respectfully,

Tom Murphy

Mayor, Village of Mamaroneck

> On Sep 22, 2020, at 1:32 PM, Chris Sergio <christopher.g.sergio@gmail.com> wrote:

>

>

> Good Afternoon,

>

> I have read the proposed law and I'd like to get some clarification. We have two large

that are simply coming to the Village to make a profit.

A dog park is going to be a fantastic addition to Mamaroneck. Statistically there are more dog owners than people that participate in any other activity (tennis, boating, soccer, baseball) currently at Harbor Island Park.

Take care and stay safe!

On Wed, Sep 23, 2020 at 8:57 AM Nora Lucas <nlucas@vomny.org> wrote:

Hi Chris,

The Tree Committee has received comments from several boards and commissions, but are awaiting more today and meet tomorrow. On their agenda is the evaluation of those comments. They are copied here.

At last month's meeting the T C discussed recommending delay of the hearing pending staff and board comments (they had evaluated all of the many, many comments made via e-mail and incorporated them into the revised law).

To your question, an important goal of the tree law is to ensure that clear cutting does not happen, and to disincentivize removal of mature trees by requiring people to plant replacements. I do think the small lot situation may make it impractical to plant 4 trees for every one that is removed and that was discussed mightily by the Tree Committee, but it seems not to have been incorporated into this (twentieth) version. So - good catch. Thank you, I will bring it to their attention at tomorrows meeting.

The fines are levied to people who remove trees absent a permit and the \$7,500 would apply to each unpermitted removal of three or more trees.

As an aside, I'm enjoying working with Karrie on the Dog Park.

Best,

Nora

From: Chris Sergio <christopher.g.sergio@gmail.com>

Sent: Tuesday, September 22, 2020 3:53 PM

To: Thomas A. Murphy <tmurphy@vomny.org>

Cc: Nora Lucas <nlucas@vomny.org>; Mayor and Board <MayorandBoard@vomny.org>

Subject: Re: Tree Law

Thanks. I want to make sure I'm understanding the law as it pertains to my property. I have a 100x100 lot and can't fathom having to plant eight trees on the lot.

Also - The fines are excessive. I hope someone in the Zoom addresses how a fine of \$7,500 for removing a tree was established.

Thanks.

trees (over 41 inches in diameter) in our front yard that I'm told may one day interfere with our sewer line and/or gas line. Is it true that I would have to add eight new trees to my not particularly large (100 x 100) lot if the two large trees are removed? Would I be able to get confirmation of whether I'm reading the law correctly?

>

> Thanks.

FW: Tree Law, please take the time to read

frederic@thegarnier.net <frederic@thegarnier.net>

Tue 9/22/2020 2:41 PM

To: Mayor and Board <MayorandBoard@vomny.org>

Mr. Murphy,

This is still a completely ridiculous law. The last storm demonstrated again that trees are not enough pruned, cut and replaced with younger trees. We have been one week without power! Putting additional red tape and legislation to prevent owners from maintaining their own property is against any common sense and goes against improving anyone's life in the village of Mamaroneck. This is just a new opportunity for corruption and a clear attack on freedom and property right unseen even in even the most liberticide countries. I wish you would spend your time on more major matters and tackle environmental problems by reducing circulation of cars and creating bicycle path. Having thousands kids driven to school by car everyday with none living more than 2 miles away from school is just sad!

Sincerely,

Frederic

Frederic Garnier
+1 646 286 1426
frederic@thegarnier.net

-----Original Message-----

From: Thomas A. Murphy <tmurphy@vomny.org>

Sent: Tuesday, September 22, 2020 12:51 PM

To: undisclosed-recipients:

Subject: Tree Law, please take the time to read

Dear Friends,

Attached is a very important and far reaching law that the Village of Mamaroneck will be considering at a public hearing on September 29 at 7:30 pm. This law potentially effects every property owner who has a tree.

The law is intended to save and protect our suburban forest and put the proper value on our trees from which we all derive so much benefit. Please take the time to read the law and if you can't participate via ZOOM on the night of the hearing please contact the Board of Trustees with your thoughts at mayorandboard@vomny.org. Information on how to participate via ZOOM will be available on the Village website.

I thank the Village Tree Committee for working long and hard over many years to try and fashion a

law that will work for Mamaroneck.

Please wear your masks. They have been shown to be the best protection against contacting and transmitting COVID-19. Social distance whenever possible. Wash hands often. Health professionals are also recommending getting a flu shot. (I got mine yesterday). Enjoy the first day of Autumn!

Tree law

Rebecca Zerzan <rzerzan@gmail.com>

Tue 9/22/2020 2:17 PM

To: Mayor and Board <MayorandBoard@vomny.org>

Dear Board of Trustees,

I am supportive of the new draft of the tree law. I think it covers most the concerns I originally shared.

My only two remaining concerns are:

1. I would be a bit clearer that permits are not required for non-protected trees.
2. I would empower the building inspector to exercise flexibility on the tree replacement requirements, since many small lots cannot accommodate the replacement of one large tree with multiple smaller trees.

I also want to propose an idea: Our communities have experienced significant losses due to the pandemic and related excess deaths. I thought it might be nice if community members could donate to have a tree planted in memory of their loved ones.

Many thanks for your hard work on this issue.

Rebecca

tree law

Susan Berenzweig <berenzweig@gmail.com>

Tue 9/22/2020 1:41 PM

To: Mayor and Board <MayorandBoard@vomny.org>

I strongly support this law.

Please pass it.

Susan Berenzweig

From: **Jerry Barberio** <jbarberio@vomny.org>
To: **Beverly Sherrid** <mrssherrid@gmail.com>
CC: **Gail Koller** <gail.koller18@gmail.com>; **Beverly Sherrid** <bsherrid@optonline.net>; **Barry Casterella** <Barry.Casterella@vomny.org>; **Mayor and Board** <MayorandBoard@vomny.org>
Subject: Re: Johnson Ave
Date: 24.09.2020 12:56:53 (+0000)

Hi Beverley,

I saw these 5-6 weeks ago when I was planning for the re-pave of that parking lot. It's anthracnose. The best result is for us to prune and add some mulch under the trees. It's caused by the roots struggling to establish when it was planted. Pruning and adding mulch will promote root growth and I expect it to do better next year. We can't prune until trees are dormant (Dec or so) but we can add mulch now. We'll add it to the schedule. Barry is copied.

I may not make the meeting tonight. My schedule and my wife's schedule crossed and I never win (and I don't expect to of course). Let's see what happens. I'll try but we have been looking for houses in Larchmont and... well you know.

Thank you,

Jerry Barberio
Village Manager
Village of Mamaroneck

On Sep 23, 2020, at 10:37 PM, Beverley Sherrid <mrssherrid@gmail.com> wrote:

Three white oaks planted a few years ago On Johnson are not looking well. Here are the leaves of the worst one, a shot of the least bad one. When you have time would you tender an opinion on them please?

Thank you.
Beverley



Sent from my iPhone







Attachment 16
235 S. Barry Ave – Small Tree for Removal













Attachment 14 – 433 Beach Ave







SPEED
LIMIT
25



DUNKIN' DONUTS

BOAT



Village of Mamaroneck
169 Mt. Pleasant Ave
Mamaroneck, New York 10543
914-777-7731

11/12/2019
Docket #: 19-4784

Code Enforcement Appearance Ticket Village Justice Court, Village of Mamaroneck, N.Y.

Name ADELPHI & SONS 427 INC
Property Address 427 E BOSTON POST RD
Mailing Address 20 HIGHWOOD AVE,
LARCHMONT, NY 10538
Date of Court Appearance 9:30 AM on 11/26/2019

VILLAGE OF MAMARONECK **AGAINST** **ADELPHI & SONS 427 INC**
People **Defendant**

In that the same said defendant allowed or caused to allow:

First Count: That on 11/12/2019 at approximately 10:53 AM, and prior to and continuing thereafter Defendant ADELPHI & SONS 427 INC did allow or caused to allow a violation of 296-11 (D) Trees - of the VOM Code.

AT THE PROPERTY 427 E BOSTON POST RD P.K.A Section-Block-Lot 4-60-7B1

I observed that on 11/12/2019 at 10:53 AM: village street trees have been pruned without prior approval.

You have received a notice for this in the past.

Three trees have been effected.

YOU MUST CEASE PRUNING OF VILLAGE STREET TREES.

In violation of: 296-11 (D) Trees

§ 296-11. Trees.

D. No person or persons shall, in any manner, injure or destroy village trees by chopping into said trees, scarring the trunks, driving nails into the trunks or limbs, building fires near the trunks or under the branches or pouring or depositing oil, gasoline, tar, creosote, salt or other injurious substances on the soil near such trees.



Attachment 28
MetroNorth Trees to Be Removed by VOM

Pat,

Can you please contact Mr Iacovelli to coordinate tree removal.

Thanks Dave

On May 24, 2016, at 10:51 AM, Ramos, Christina <cramos@mnr.org> wrote:

Good morning,

The Village of Mamaroneck called concerned about some trees that are near our tracks “that are going up into the wires and need to be removed by the village”. Their concern is the trees are dead and might fall onto the tracks. They would like to meet with someone from MNR to assist in removing the trees without disrupting service. Can you please contact Mr. Lacovelli (see contact below) and CC me on any emails for my records.

Thank you so much!

Christina Ramos
Administrative Coordinator
Office of Corporate and Public Affairs
MTA Metro-North Railroad
420 Lexington, 11th Floor
New York, New York 10017
t. 212-340-4939
cramos@mnr.org
<image001.jpg>

From: Karen Ramos [<mailto:kramos@vomny.org>]
Sent: Tuesday, May 24, 2016 10:37 AM
To: Ramos, Christina <cramos@mnr.org>;
Cc: Tony Iacovelli <tiacovelli@vomny.org>;; Patel, Mae <MaePatel@mnr.org>;
Subject: Metro North Trees/Bishop Ave.

Christine,

Tony Iacovelli, the General Foreman for the Department of Public Works in the Village of Mamaroneck, had asked me to let your department know about a situation over on Bishop Ave. along the Metro North Railroad tracks. A resident called to complain about pine trees that were dead along the railroad tracks on Bishop Ave. Mr. Iacovelli had gone out to look at the problem. He stated that the trees in question are in fact, Village trees. He then advised me to let you know that the trees along the wall that are going up into the wires are dead and need to be removed by the village. He would like someone from Metro North to meet him out there so they can discuss removing the trees without disrupting service to Metro North trains. His office phone number is 914-777-7745. Thank you for this prompt attention to this matter.

Karen Ramos, Office Assistant
Village of Mamaroneck Department of Public Works
914-777-7745

**Village of Mamaroneck
Significant Tree List**

9/11/2020

<u>Street #</u>	<u>Street</u>	<u>Tree</u>	<u>Comments</u>
709	Stuart Ave.	Black Oak	corner of S.Barry Ave., check right-of-way
420	S. Barry Ave.	Elm	large, old, healthy
506	S. Barry Ave.	Red Oak	address may be Soundview Dr. (corner), check right of way
202	Beach Ave	Oak	Thompkins Farm oak
	Harbor Island	Oak	
	Shore Acres Club	Swmp wh. Oak	
490	Bleeker Ave	White Oak	may be the 2nd old to the "Bedford Oak" tree in the county; 360 years old
	Harbor Island Park	Elm	west of Firemen's Memorial
	Harbor Island Park	Elm	west of Firemen's Memorial

Attachment 32

Recommended Street Trees for The Village of Mamaroneck Proposed by the VOM Tree Committee 4 September 2020

<u>Size Group</u>	<u>Scientific Name</u>	<u>Cultivar</u>	<u>Comments</u>
<i>Note: Street trees must be single stem only</i>			
<u>Small Trees (under 30' maturity)</u>			
Redbud	Cercis Canadensis		
Cockspur Hawthorn	Crataegus Crus-Galli	Inermis	thornless, salt & drought tolerant
Flowering Cherry	Prunus Sargentii	Accolade	persistent fruit
Flowering Crabapple	Malus Sultzyam	SugarTyme	persistent fruit
Trident Maple (1)	Acer buegerianum		
<u>Tall Trees (greater than 30' maturity)</u>			
Honey Locust	Gleditsia triacanthos	Inermis	
Red Maple (1)	Acer Rubrum	October Glory	
Swamp White Oak	Quercus Bicolor		
London Plane	Plantanus acerfolia		
American Sweetgum	Liquidambar Stryaciflua		
<u>Trees on Pause</u>			
Serviceberry	Amelanchier Laevis		Older plantings doing well, more recent new trees are often not surviving, those that survive are not thriving
Japanese flowering cherry	Prunus Serrulata	Kwanzan	Over planted, especially in Harbor Island Park
Red Oak	Quercus Rubra		Over planted
<u>Acceptable Trees for Parks, Not Streets</u>			
American Hornbeam	Carpinus Caroliniana		Wide root spread; understory tree
Littleleaf Linden (1)	Tilia cordata	Greenspire	Wide root spread; ; not tolerant of salt spray
White Oak	Quercus alba		Very large at maturity; Large taproot; not tolerant of salt spray
Silver Linden	Tilia Tomentosa		Wide root spread; aerosol salt tolerant (good for HIP)

(1) *Highly susceptible to verticillium; do not plant in areas that have been badly affected such as Shore Acres.*

Tree Selection Guide from Nina Bassuk

Beverly and Gail – last year I went to a continuing ed workshop on climate change and its impact on NY neighborhood landscapes. Nina Bassuk from Cornell and the Urban Horticulture Institute was a speaker. She has developed an interactive database on tree selection for urban and suburban ecosystems from street trees to shrubs. I was the only person from VOM in attendance and tried to share the great information and resource I learned about. Since I was never sure if anyone from the Tree Committee ever got it, I kept the handouts on my desk for 16 months.

Then I see two awesome people I know are now in charge!!! Here's the website link. Also climate change has impacted tree selection with traditionally more southern species now available for planting in our area. It's all on her website and she was begging people to use it.

<https://blogs.cornell.edu/urbanhort/>

Thanks for volunteering!
Kathy

Attachment 34
Relocating Redbud Trees 2020

8-Nov-20

Current Location

New Location

Jefferson @ Jefferson Green, near parking lot
734 Guion Drive, across on Green
234 S. Barry, across on Green
Gillie's Green, Orienta & Old Post Road

710 The Parkway, across street on median
504 Florence, plant on Halstead
504 Florence, plant on Halstead
626 Brook, third of three small trees **

** there are three trees scheduled for 626 Brook: one redbud transplant, one new crabapple, one new redbud. Currently only two of the sites have been marked by Tony. Please plant in redbud, crabapple, redbud sequence.

Attachment 35
Lab Report of Maple Pathogen in Shore Acres

Lab Name: **Plant Disease Diagnostic Clinic**

Submit Date: 10/16/2020

Sent By: Jensen Sandra (slj2@cornell.edu)

Sent For:

JERRY BARBERIO

MAMARONECK, WESTCHESTER COUNTY

NY 10543

Phone Number: 914-777-7703

Sample County: Westchester

1. Sample # 2000506 Field ID: 625 The Parkway Host: Silver Maple (*Acer saccharinum*)
2. Sample # 2000507 Field ID: 705 The Parkway Host: Sugar Maple (*Acer saccharum*)

Diagnosis and Recommendation:

Diagnosis/ID: 2000506 Not Detected for Verticillium wilt (*Verticillium* sp./spp.)

Diagnosis/ID: 2000506 Suspected for Wound canker (Abiotic disorder)

Diagnosis/ID: 2000506 Confirmed for Additional sample requested (Identification Analysis)

Diagnosis/ID: 2000507 Not Detected for Verticillium wilt (*Verticillium* sp./spp.)

Diagnosis/ID: 2000507 Suspected for Wound canker (Abiotic disorder)

Diagnosis/ID: 2000507 Confirmed for Additional sample requested (Identification Analysis)

Field ID: 625 The Parkway

Attachment 36
Larchmont Nursery Donation

Jerry Barberio Oct 23, 2020, 9:30 AM (13 days ago)

to TreeCom, Mayor, Daniel, Courtney, Agostino, Sally

Good morning!

The owners at Larchmont Nursery have contacted us for a donation of trees and some hydrangeas. They have four 4" caliper Kwanzan Cherry trees and a few hydrangea which we will expertly plant in HIP. Locations suggestions are welcome or I can find spots. We are adding the generous donation to Monday's agenda if it made it on yesterday. Dan will advise.

Thank you,

Jerry Barberio
Village Manager
Village of Mamaroneck

5 September 2020

Attachment 37
VOM Tree Committee – Citizen Pruners Program

-Several years ago, the Tree Committee created a volunteer corps of Citizen Pruners to maintain trees planted by the Village within the last ten years.

-Purpose is to shape Village-owned trees while they are small so they will not obstruct sidewalks or streets as they grow, and to remove branches in positions that weaken the trees.

-Volunteers must attend at least one Village-sponsored training session. Training is offered once a year and announced to the public. Volunteers are encouraged to attend additional training whenever it is offered.

- All residents age 18 and older are welcome.

-After training, volunteers receive pruning tools and a reflective yellow vest identifying them as VOM Citizen Pruners. They are expected to register with the police to receive an identification card.

-Citizen Pruners do not use ladders or power tools.

-The Tree Committee maintains a list of all trained Citizen Pruners. The list is available in the Village Manager's office.

VILLAGE OF MAMARONECK
TREE COMMITTEE WILL HOST A

CITIZEN PRUNERS WORKSHOP

SATURDAY, NOVEMBER 14TH | 10:00 AM - 2:00 PM
HARBOR ISLAND PARK PARKING LOT
NEXT TO THE SPORTIME TENNIS BUBBLE

Attendance is a prerequisite for becoming a Village of Mamaroneck Citizen Pruner authorized to prune Village of Mamaroneck trees. Citizen Pruners work from ground level using hand tools ONLY. The workshop will include a break for a Bring-Your-Own lunch. Community Service credit will be given to high school students both for workshop attendance and for pruning hours. Attendees need not bring their own pruning tools. Please RSVP by Friday, November 13th at:

village.mamaroneck.ny.us/citizen-pruners

Workshop will be limited to 12. Though if more express interest, an additional workshop date may be added. For more information, please contact Beverley Sherrid, Tree Committee Co-Chair, at: mrssherrid@gmail.com.

