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INCORPORATED VILLAGE OF LAUREL HOLLOW
BOARD OF ZONING
Public Hearing
January 22, 2019
7:00 p.m.

VILLAGE HALL
1492 Laurel Hollow Road
Syosset, New York 11791-9603

PRESENT:

CHRIS HADJANDREAS, CHAIRMAN
ELIZABETH DiBLASIO, BOARD MEMBER
NANCY JONES, BOARD MEMBER

ALSO PRESENT:

HOWARD AVRUTINE, Village Attorney

ALSO PRESENT:

VINCENT M. RIELLY, Landscape Architect
DANIEL CARTAGENA, Quantum Realty
ELIZABETH BIBLA, Village Arborist

P9-2018/T47-2018 Public Hearing on the
application of Quantum Realty, 32
Hilltop Drive, Laurel Hollow, for
approval to remove up to 39 trees for
demolition and new home.

MARY ANNE COPPINS
OFFICIAL COURT REPORTER

1 CHAIR HADJANDREAS: Quantum Realty.

2 MR. AVRUTINE: The next Public
3 Hearing is P9-2018 and T47-2018, the
4 Public Hearing on the application of
5 Quantum Realty, 32 Hilltop Drive, for
6 approval to remove up to 39 trees in
7 connection with a building permit for a
8 proposed new single-family home. This
9 parcel of land is known as Section 14,
10 Block 15, Lot 5 on the Land and Tax Map
11 of Nassau County.

12 In connection with this hearing the
13 affidavits are as follows:

14 First, the Affidavit of Posting
15 from Elizabeth Kaye that the legal
16 notice was posted on the front bulletin
17 board in front of Village Hall on
18 January 9, 2019.

19 The next exhibit is the Affidavit
20 of Publication that the legal notice was
21 published in the North Shore Leader on
22 January 9, 2019.

23 The next exhibit is the document
24 that confirms that the legal notice was
25 published to the Village website on

1 December 27, 2018.

2 The next exhibit is a document that
3 confirms that the legal notice was sent
4 to the Village website News subscribers
5 on January 17, 2019.

6 The next exhibit is an Affidavit of
7 Mailing from the applicant indicating
8 that the Notice of Public Hearing was
9 mailed on January 17, 2019 to the
10 persons set forth on the affidavit.

11 And the final exhibit is
12 Notification from the Nassau County
13 Planning Commission dated December 24,
14 2018 that the matter is referred to the
15 Village of Laurel Hollow Planning Board
16 to take action as it deemed appropriate.

17 May we have a representative of the
18 applicant.

19 MR. RIELLY: Yes, I will be
20 speaking for the applicant.

21 Vincent Rielly, 5 Godfrey Lane,
22 Huntington, New York.

23 On December 19th, Mr. Cartagena
24 contacted me for my services doing a
25 landscaping plan and helping him with

1 his tree removal plan.

2 I have been in front of the Board
3 several times and I know what you are
4 looking for, as far as that goes.

5 I started with the tree removal
6 plan trying to save as many plants as I
7 possibly could, including the natural
8 shrubs, the natural growing shrubs, all
9 the laurels in the area, and anything
10 else that is brush.

11 I reviewed the Village Arborist's
12 notes from Ms. Bibla. She suggested --
13 actually, I can show you here, it's
14 easier.

15 She suggested moving this driveway,
16 the north driveway that used to go in
17 here and we were going to take out
18 number one and number two. Now, number
19 one and number two have been saved.

20 I further just changed the bend a
21 little bit right here so that number
22 five could be saved. So, an additional
23 tree to what she had first requested is
24 on there.

25 She felt the same thing on the --

1 this is the north driveway -- that by
2 moving it over a little this way, we can
3 save 14 and 15, which we did.

4 Additionally, she felt that out
5 here on this garage side, behind the
6 garage and the parking area, that three
7 trees in that area could also be saved.
8 I looked at them carefully and wound up
9 with saving five trees instead of the
10 three. So, we have extras on even where
11 she had suggested.

12 Additionally, by making some
13 changes to where the septic system will
14 go, we're going to be saving trees six
15 and seven.

16 Then, by looking at the trees, I
17 find that number 16 and 18, I really
18 don't know why they are on the plan
19 there is nothing that is going to
20 interfere with those, so those were left
21 on the plan.

22 After I left all these trees on the
23 plan, I went and examined every one of
24 the trees on the property, and the ones
25 to be removed are all in red. So every

1 one of them I looked at and came up with
2 a pertinent reason why it had be to be
3 removed.

4 On the tree removal list that you
5 have, the trees to be removed, each one
6 of the trees that is to be removed has
7 the reason why I feel they have to be
8 removed, I think every one of them is
9 pertinent.

10 Additionally, I would just say with
11 the expectation first, the letter from
12 Ms. Bibla felt that we can do this,
13 accomplish this project with her, quote,
14 no more than 30 trees being removed.

15 Mr. Hadjandreas was much more
16 aggressive in his expectations. He
17 pushed me to get the number down, down,
18 down, as low as I possibly could, which
19 I did. The final number of trees to be
20 removed in the plan is 19, down from 39.
21 So, a real effort was made to save
22 everything that we could here.

23 Additionally, I discussed with the
24 client, he assured me that there is
25 going to be none of the running around,

1 cutting out every piece of brush and
2 every under six-inch tree. The only
3 thing that is going to be touched here
4 is maybe 20 percent of the property that
5 has the building on it. We are not
6 going to go down here and cut out brush,
7 cut out trees that are six inches or
8 smaller, everything remains.

9 This is a beautiful area in here.
10 It's really what the Village of Laurel
11 Hollow is looking to maintain. It's
12 mostly oak trees with all laurels
13 underneath. It's a nice hilly area
14 where laurels grow on the hills mostly.
15 It's a real natural area here.

16 It hooks up with several other
17 undeveloped backyards and whatnot. It
18 goes right down here across the street
19 to the Stillwell Preserve. Actually,
20 across the street this way it drops off
21 going down to 108 and Second Pond and
22 Third Pond down in there. So, it's a
23 really nice natural area.

24 The landscape that we are
25 proposing, we are really trying to hold

1 on to that whole look, kind of a minimal
2 landscape we are doing.

3 In the construction area itself,
4 Chris had requested, and I will go
5 around and look at the trees that are
6 under six inches in this whole area
7 here. We are not going to just remove
8 the tree because it is under six inches,
9 I will look at them and if they are
10 healthy, viable trees that are going to
11 grow into larger trees in time and be a
12 nice part of the landscape, I'll keep
13 it. I expect to get at least about six
14 of those in here and there will be
15 future large trees.

16 The one other thing I would like to
17 say is there is no plan, at this time,
18 to put in a pool, but who knows with
19 owners in the future or whatnot, they
20 very well may ask for a pool permit and
21 this whole area back here is basically
22 without trees. I mean, the house is up
23 in here now, so there would be no
24 problem putting in a pool back here, a
25 pool house, patio and remove no more

1 than one, two, maybe three trees.

2 So even in the future, it's pretty
3 well thought out so that if there was
4 something back here it is not going to
5 be another situation where we have to
6 take out another 10, 15 trees for a
7 pool, not that there is any plan now.

8 CHAIR HADJANDREAS: And that is
9 because the house is being moved
10 forward.

11 MR. RIELLY: Yes.

12 CHAIR HADJANDREAS: I don't know if
13 you can answer this, do you want
14 introduce yourself?

15 I have some questions.

16 MR. CARTAGENA: Daniel Cartagena
17 from Quantum Realty Development. I am
18 the owner of the property at 32 Hilltop
19 Drive.

20 MR. AVRUTINE: And your business
21 address?

22 MR. CARTAGENA: 141 Andrews Road,
23 Mineola, New York.

24 CHAIR HADJANDREAS: How far forward
25 is the house -- the old house is being

1 torn down and the new house is being
2 built. How much closer?

3 MR. CARTAGENA: I believe it's 20
4 feet.

5 CHAIR HADJANDREAS: With that and
6 with the clearing of the backyard, what
7 you are saying is the backyard wouldn't
8 need to be disturbed at all.

9 MR. RIELLY: Yes. Probably this
10 whole area right through here is just
11 going to be.

12 CHAIR HADJANDREAS: Mr. Rielly, on
13 the trees dated December 27th, do you
14 have an update on that?

15 MR. AVRUTINE: Yes, there is one
16 you should have in the packet. I will
17 give you mine.

18 MR. RIELLY: It's revised 110.

19 CHAIR HADJANDREAS: Because on here
20 it's 22 trees, and this one is accurate
21 now with everything that you have
22 outlined.

23 MR. RIELLY: Reflects the last
24 recommendation from you and the Mayor.

25 CHAIR HADJANDREAS: Did anything

1 change on the proposed landscape plant
2 list from December 28?

3 MR. RIELLY: Yes, there's been
4 changes.

5 CHAIR HADJANDREAS: Do we have an
6 updated?

7 Do you have something you're going
8 to give us on this?

9 MR. RIELLY: I gave a packet to the
10 office.

11 MR. AVRUTINE: I will make copies.

12 CHAIR HADJANDREAS: Everything I
13 have is on 27.

14 MR. RIELLY: I gave packets for
15 each person; in fact, a couple of weeks
16 ago.

17 CHAIR HADJANDREAS: Is this it?

18 I have it, I have it, Howard, I'm
19 sorry.

20 MEMBER JONES: But it says revised.

21 CHAIR HADJANDREAS: All right, we
22 are all on the same page now, okay.

23 MR. RIELLY: Also, as far as the
24 tree removal, every one of these trees
25 that have the like squiggly line with no

1 number on them, those are existing trees
2 that are over six inches on the
3 property. So you can see, it's still
4 heavily wooded, you know the whole
5 property. It's just this one little
6 area that we are looking to take some
7 trees out.

8 As far as the landscape part of it,
9 it's very minimal. As I had said,
10 really, what we are looking to do is a
11 screening across the street. This
12 screening will match exactly the
13 screening to this side, to the south
14 over here. It's all just six to 10 foot
15 norway spruces all through here. There
16 are a couple of other small plants to
17 give it color and whatnot, and he has
18 the exact same thing going this way. So
19 it's a nice long stretch of the same
20 screening from the road.

21 CHAIR HADJANDREAS: Okay, you are
22 asking to remove 19 trees. On the
23 proposed plant list, there is a lot of
24 trees that you're committing to
25 planting, again, same situation with

1 what they are submitting tonight.

2 After they're done building the
3 house, you have to put all of these
4 plants in the ground, they have to be
5 certified they are in the ground and
6 alive and healthy and then the
7 homeowner's C of O will be issued.

8 Of these on this list, this says a
9 lot in terms of what you're removing,
10 basically, 19 deciduous trees, large
11 deciduous trees.

12 MR. RIELLY: Yes.

13 CHAIR HADJANDREAS: How many on the
14 proposed plant list, how many of these
15 will become large deciduous trees?

16 MR. RIELLY: Nine.

17 CHAIR HADJANDREAS: Okay. And
18 then in addition to the nine?

19 MR. RIELLY: Another 19 evergreens.

20 CHAIR HADJANDREAS: Okay. And
21 then the rest are basically shrubs.

22 MR. RIELLY: Shrubs.

23 CHAIR HADJANDREAS: That's the
24 other point.

25 One thing I think I should point

1 out is Ms. Bibla's letter to the Board.

2 Do you want me to read it, it's
3 already been entered?

4 MR. AVRUTINE: It's part of the
5 record.

6 You may want to, Mr. Chairman, have
7 Mr. Rielly address each of the
8 recommended modifications that are
9 contained within that letter.

10 Just for the record, also, what is
11 -- has the landscape plan that is on
12 display on the board here, it that being
13 filed officially?

14 MR. RIELLY: This has been updated
15 from the one that has been filed --
16 actually, no, this is the one that was
17 filed, this is the revised plan.

18 MR. AVRUTINE: What is the date of
19 the plan?

20 MR. RIELLY: 1/10/19 is the revised
21 plan.

22 MR. AVRUTINE: I have one here. It
23 doesn't have any green on it. It needs
24 to be dated January 10, 2019.

25 Is this the plan?

1 MR. RIELLY: Yes.

2 CHAIR HADJANDREAS: Yes, that's the
3 date I have.

4 MR. AVRUTINE: I just want to
5 clarify what we're talking about, the
6 plan that you have been describing and
7 the plan which purportedly responds to
8 many of the comments, if not all of the
9 comments raised in Ms. Bibla's letter,
10 is your revision, last revised January
11 10, 2019.

12 MR. RIELLY: That's correct.

13 MR. AVRUTINE: And that's the plan
14 that is before the Board.

15 MR. RIELLY: That's correct.

16 CHAIR HADJANDREAS: What I want to
17 do is go through each recommendation
18 from our Village Arborist and you tell
19 me what was done to --

20 MR. RIELLY: I did do that.

21 CHAIR HADJANDREAS: Limits to
22 disturbance line.

23 A fence could be closer to the
24 proposed residence -- the limits of
25 disturbance line and fence could be

1 closer to the proposed residence to
2 preserve virgin woodland on the side
3 yards as tree shown to remain will be
4 graded over and damaged.

5 So, how did we --

6 MR. RIELLY: This was an area that
7 we're talking about. I believe Ms.
8 Bibla said that she felt three trees
9 could be preserved in this area.
10 Instead of three, we preserved five.

11 CHAIR HADJANDREAS: You're pointing
12 to this. I don't have a -- north is
13 that way, so that is the western side of
14 the property?

15 MR. RIELLY: Yes.

16 CHAIR HADJANDREAS: Okay. On the
17 western side of property, what was
18 originally proposed --

19 MR. RIELLY: Actually, that's the
20 northern side, Chris.

21 CHAIR HADJANDREAS: North is
22 pointing this way, I'm sorry, you're
23 right, that's the northern side of the
24 property.

25 So, when you originally proposed to

1 cut down 39 trees, Ms. Bibla wrote this
2 report, and all of those trees on the
3 side are now being preserved?

4 MR. RIELLY: Yes.

5 CHAIR HADJANDREAS: The proposed
6 driveway entry at the south corner of
7 the property could be moved north to
8 preserve number 12 and number 14 oaks.
9 This would also give the neighbor more
10 privacy at the corner of the property,
11 the south side, the other side.

12 MR. RIELLY: Those are not numbers,
13 those are diameters that I wrote down.
14 So that is number one, number two.

15 As I said, I bent the driveway a
16 little bit more so that we also preserve
17 number five.

18 CHAIR HADJANDREAS: So you went
19 above which was what she was
20 recommending there.

21 Two 10-inch trees shown next to the
22 north driveway entrance could be
23 preserved as the plan doesn't show
24 extensive regrading there.

25 MR. RIELLY: That would be these

1 two plants right here, number 14 and
2 number 15.

3 CHAIR HADJANDREAS: You're saving
4 those?

5 MR. RIELLY: Yes.

6 CHAIR HADJANDREAS: There are three
7 trees on the north side of the garage
8 area that should be able to remain,
9 minor regrading of area should still
10 allow the 10, 12 and 14-inch trees to
11 remain.

12 MR. RIELLY: That actually was the
13 three trees she recommended, we did five
14 on here. On this side, we brought it in
15 a little bit and kept two trees that
16 were slated to be taken out.

17 Above what the suggestions were,
18 there was a little reroute in here of
19 the septic to save tree number seven and
20 number 16. Also, after I looked at all
21 the trees, number 16, and number 18, I
22 could find no reason to take those trees
23 out, so they remain also.

24 CHAIR HADJANDREAS: Now, another
25 issue that we had as a Board was where

1 the -- we can keep shifting the driveway
2 around, but no matter what, you're
3 hitting trees.

4 The other thing, though, is there
5 are a lot of mountain laurel where the
6 north side -- I'm sorry, where the south
7 side of the driveway hits Hilltop. And
8 in the front area between the house and
9 Hilltop, there is a lot of mountain
10 laurel and that still has to be removed
11 with a new driveway.

12 MR. RIELLY: Yes. You told me of
13 the Mayor's concern about that.

14 Since that time, I added the number
15 13 on the plan, which is two here, one
16 here. One, two, three across here,
17 another one, two, three here, all where
18 the Mayor wanted them up by the road
19 where things were going to be lost.

20 There is an additional nine trees
21 -- nine mountain laurels that have been
22 brought in to satisfy that.

23 CHAIR HADJANDREAS: Okay.

24 MEMBER JONES: Can I just go back
25 to the first point, the limits of

1 disturbance line fence can be closer.

2 You went on to say about trees
3 coming down. I don't think that was the
4 question. The question I think is on
5 the first document, about possibly
6 moving this fence closer to the proposed
7 -- to preserve the virgin woodland at
8 the side yard.

9 CHAIR HADJANDREAS: Let me see.

10 What they are talking about is --

11 MEMBER JONES: Isn't that the
12 limits of disturbance line?

13 CHAIR HADJANDREAS: The limits of
14 disturbance line is where they would put
15 the fabric --

16 MEMBER JONES: But this fence could
17 be closer.

18 CHAIR HADJANDREAS: Where they
19 would put the silk fence. That hasn't
20 been -- we didn't get a revised
21 demolition plan, whatever this is
22 called.

23 So, maybe, Ms. Bibla, can you just
24 clarify what you were asking for in this
25 part of your letter.

1 MS. BIBLA: In addition to
2 preserving trees, I feel that having the
3 silk fence moved inside the property a
4 little bit more would preserve
5 undergrowth. Because we can put trees
6 in and then just -- I do see lawn, a lot
7 of lawn, it doesn't preserve woodland.

8 CHAIR HADJANDREAS: Is there a
9 specific -- because the silk fence goes
10 completely around the entire
11 construction area, is there a specific
12 area of the yard that you wanted the
13 silk fence moved in? Do you have the --

14 MS. BIBLA: I can't --

15 CHAIR HADJANDREAS: You can come up
16 here and see mine.

17 MS. BIBLA: I believe I have the
18 updated survey.

19 But my point was if it were going
20 to preserve trees, this silk fence
21 should really be around the trees to
22 remain so that grading, grading doesn't
23 happen.

24 CHAIR HADJANDREAS: For example,
25 number seven is now being kept.

1 MR. RIELLY: The problem with that
2 is the septic will be going in here.

3 MS. BIBLA: That's right. The
4 septic will absolutely disturb any of
5 the woodland. But rather than have the
6 silk fence within say five or 10 foot of
7 the property line, it should probably be
8 at least 20 foot inside the property
9 line, just for a buffer.

10 MR. RIELLY: As in this, it's 20
11 feet inside.

12 MS. BIBLA: Right, and should be
13 indicated, perhaps on the plan, so we
14 know that that's the edge of the bed,
15 so, indeed, where we stop grading and
16 where laurel will remain and undergrowth
17 and topsoil. So that line should
18 indicate maybe the silk fence line.

19 CHAIR HADJANDREAS: Okay.

20 MR. AVRUTINE: Just to clarify, Ms.
21 Bibla, you're stating that your
22 recommendation is the silk fence, as far
23 as the northerly and southerly lines,
24 should be extended to 20 feet, a 20-foot
25 distance from the property line; is that

1 correct?

2 MS. BIBLA: I would think so.

3 MR. AVRUTINE: Or even outside the
4 setback. The setback is --

5 CHAIR HADJANDREAS: Well, the
6 setback is 40 feet on the property
7 lines, but...

8 MS. BIBLA: We should have a
9 minimum buffer of a clearing line,
10 rather than go to the property lines.

11 MR. AVRUTINE: You are recommending
12 20 feet?

13 MS. BIBLA: Yes.

14 MR. AVRUTINE: What about on the
15 westerly side, the silk fence, should
16 that be extended east?

17 MS. BIBLA: The westerly side is
18 fairly open in the back. That is --
19 actually, the westerly side of the
20 proposed house is where the footprint of
21 the old house was or when the old house
22 comes down. So there really is nothing
23 there. Then it starts to slope off in
24 the rear.

25 MR. AVRUTINE: Have you had a

1 chance to review in detail this
2 revision?

3 MS. BIBLA: I have not.

4 MR. AVRUTINE: Have you seen it?

5 MS. BIBLA: I just reviewed it now.
6 I'm happy to see a lot more trees
7 preserved.

8 MR. AVRUTINE: Are you able to
9 determine, based on your review this
10 evening, that the plan that is before
11 the Board now satisfactorily addresses
12 the comments raised in your report?

13 MS. BIBLA: Yes. I do believe that
14 it's been a big improvement to what we
15 first looked at.

16 MR. AVRUTINE: Thank you.

17 CHAIR HADJANDREAS: Can I ask, is
18 there anybody else that has any concern
19 or comment about this application?

20 MR. O'HARA: Yes.

21 CHAIR HADJANDREAS: Please come
22 forward state your name and address.

23 MR. O'HARA: Ray O'Hara, 44 Picardy
24 Lane.

25 CHAIR HADJANDREAS: 44 Picardy

1 Lane. This house is number?

2 MR. CARTAGENA: 32.

3 MR. O'HARA: Next door neighbors.
4 We are on the corner. They are one
5 house in, so our property abuts their
6 property.

7 CHAIR HADJANDREAS: If you're
8 looking at their house, to the left?

9 MR. O'HARA: To the right.

10 CHAIR HADJANDREAS: Okay.

11 MR. O'HARA: If you're looking at
12 their house, to the right.

13 CHAIR HADJANDREAS: You're just
14 north of them on Hilltop, okay.

15 MR. O'HARA: Can we go through, I
16 can't see this.

17 CHAIR HADJANDREAS: Of course, come
18 forward.

19 MR. O'HARA: I didn't want get up
20 and just --

21 CHAIR HADJANDREAS: Anytime you
22 can.

23 MR. O'HARA: Could you go through
24 it?

25 MR. RIELLY: As far as the trees

1 being removed?

2 MR. O'HARA: Help me out.

3 Where is my house?

4 MR. RIELLY: Your house is right
5 over here.

6 CHAIR HADJANDREAS: I'm sorry, if
7 you're looking to the right.

8 MR. O'HARA: Got it now.

9 MR. RIELLY: All the trees that are
10 in green we took off the list, the
11 original list. The trees in red are all
12 the trees that are going to be removed.

13 MRS. O'HARA: It's really difficult
14 to tell when you go to the house,
15 there's so many markings.

16 CHAIR HADJANDREAS: That's one
17 thing we're going to address, spray
18 paint. There's a blue marking from --
19 we went through this with the landscape,
20 which you were not, obviously, aware of,
21 but that was our concern as well.

22 There have been so many iterations
23 and that's one of the things we have to
24 make absolutely clear so that the wrong
25 trees don't get taken down. But as of

1 right now, it's only the trees with the
2 yellow.

3 MR. RIELLY: Green.

4 CHAIR HADJANDREAS: Green.

5 MR. RIELLY: Green marks are the
6 only trees coming down.

7 CHAIR HADJANDREAS: Not yet, but
8 the only trees proposed to be taken
9 down.

10 MR. RIELLY: Yes. And these lines
11 on the ground, the ribbons that I have,
12 the pink does the driveway, the parking
13 area -- I believe it's pink -- then the
14 house is all in green.

15 And this is kind of weird because
16 this is a big walkway right up to the
17 house off the driveway, so you will see
18 that in pink right there.

19 MR. O'HARA: Where would the pool
20 go?

21 MR. RIELLY: There is no proposed
22 pool at all, but if there were, it would
23 back up in here. There is room for
24 that, very minimal. Nobody has asked
25 for it, but you know how the

1 neighborhood is. A couple of neighbors
2 down the road.

3 MR. O'HARA: These are staying?

4 MR. RIELLY: Every one of these
5 trees right here, that is an over
6 six-inch tree, that will remain. These
7 trees --

8 MR. O'HARA: This is on their
9 property, right?

10 MR. RIELLY: Yes. Every one of
11 these trees is a new tree that I am
12 bringing in, a new deciduous tree,
13 large, that will kind of --

14 MR. O'HARA: What's your definition
15 of large?

16 MR. RIELLY: These are either three
17 to three-and-a-half inch in diameter,
18 two and-a-half, about like that. They
19 will be 15-feet tall, something like
20 that. There will be pin oaks and sunset
21 maples.

22 MRS. O'HARA: Evergreens, how large
23 will they be?

24 MR. RIELLY: These evergreens I
25 have, there is one here, one here and

1 one here.

2 CHAIR HADJANDREAS: Before you go
3 forward, can you do me a favor and go
4 through the entire proposed plant list,
5 what the number is, just read off the
6 list and point to the area where the
7 different trees are going.

8 So let's go from the top.

9 MR. RIELLY: Okay.

10 CHAIR HADJANDREAS: You're
11 proposing to plant four large
12 8-to-10-foot arborvitaes.

13 MR. RIELLY: Number one, two,
14 three, four.

15 CHAIR HADJANDREAS: You're
16 proposing to plant 15 six-to-seven-foot
17 norway spruces.

18 MR. RIELLY: Just right all in
19 here, all the number twos to make a
20 screening from the road. This neighbor
21 on this side has the exact same thing as
22 you.

23 MRS. O'HARA: That's what I would
24 like to ask of Daniel.

25 I know, Howard, you are aware of

1 many problems we had on Hilltop with
2 contractors and you know construction
3 people.

4 MR. AVRUTINE: Did you give your
5 name and address for the record?

6 MRS. O'HARA: Theresa O'Hara, 44
7 Picardy Lane.

8 The only that I ask is that you
9 have respect for the neighbors and don't
10 damage our property and work within the
11 rules and guidelines.

12 MR. CARTAGENA: Absolutely.

13 CHAIR HADJANDREAS: The Village has
14 rules and I'll say, for the record, it's
15 from 8:00 until 5:00.

16 MRS. O'HARA: No Sundays.

17 CHAIR HADJANDREAS: 8:00 to 5:00
18 Monday through Saturday, no Sundays and
19 no holidays. Like this past Monday, any
20 federal holiday you're not allowed to be
21 on the premises working.

22 MR. O'HARA: With all due respect,
23 we've lived through that once before.

24 MRS. O'HARA: That's how the law
25 got changed.

1 CHAIR HADJANDREAS: One simple
2 phone call during the weekend, nobody is
3 here, but to the police and they will
4 shut it down immediately. And your
5 Mayor lives on the block.

6 MRS. O'HARA: And Dan has been
7 amazing. He gives notices to remedy,
8 shut down jobs, but it is something you
9 want to do so nobody is opposed to you
10 building a beautiful house.

11 MR. O'HARA: It looks beautiful.
12 Even if you're a temporary neighbor, a
13 temporary one, we will be a good
14 neighbor, you be a good neighbor.

15 MR. CARTAGENA: Fair enough.

16 MRS. O'HARA: Who is Nelson, your
17 brother?

18 MR. CARTAGENA: Yes.

19 MRS. O'HARA: Because I met him six
20 or seven months ago. He was in our yard
21 and he was with a tree guy and I was
22 like what is going on. And I just want
23 you to know that where the properties
24 are separated, we love our trees.

25 MR. CARTAGENA: We won't make any

1 mistakes.

2 MRS. O'HARA: One other thing I
3 think you've been made aware of is that
4 the house has been vacant for a long
5 time and it's become a haven for young
6 people to hang out and I would ask you
7 to put a lock on it as far as that is
8 concerned.

9 MR. CARTAGENA: I put a lock on it.

10 MRS. O'HARA: When did you do that
11 because Saturday it was open.

12 MR. CARTAGENA: It was? I will go
13 back.

14 MRS. O'HARA: A lot of the doors
15 are unlocked and I would hate to see a
16 fire.

17 CHAIR HADJANDREAS: Mr. Cartagena
18 was in seeking a demolition permit. The
19 Village held that up. The reason why he
20 hasn't torn the house down yet is he had
21 to get through the Planning Board.

22 MRS. O'HARA: It's an unsecured
23 house, something could go on fire. Just
24 for our sake, for your insurance
25 liability.

1 MR. CARTAGENA: I make my rounds
2 every other day, if possible.

3 What time, evening?

4 MRS. O'HARA: When the children
5 were there?

6 It was Saturday, they were
7 middle-aged guys in a grey BMW. They
8 were in a BMW. I thought maybe they
9 were real estate or maybe you. Four
10 young men got in and high-tailed it and
11 I couldn't get the license plate.

12 MR. CARTAGENA: Saturday, okay,
13 middle of the day. I will be there.

14 MRS. O'HARA: Just lock up the
15 doors, once one kid get in, then the
16 others do.

17 MR. CARTAGENA: I think they broke
18 a window, also.

19 MRS. O'HARA: That's all we ask,
20 that it be a safe place.

21 We know the trucks have to come up,
22 but in the past, they've damaged the
23 corner, the Belgian blocks, they've
24 damaged the lawn.

25 MR. CARTAGENA: Thank you.

1 MR. RIELLY: I want to point out
2 your concern about them coming onto your
3 property. This is the closest tree to
4 your property, it's 30 feet away.

5 MRS. O'HARA: Nelson was over here,
6 a very nice young man, very excited
7 about the property.

8 MR. O'HARA: The house is
9 beautiful.

10 MR. RIELLY: I'll just tell you
11 that is definitely a large boundary
12 between there.

13 If you want to go through more of
14 the trees?

15 MR. O'HARA: We're good, we care
16 about our side, thank you.

17 MRS. O'HARA: Thank you.

18 CHAIR HADJANDREAS: Just so you
19 know, what the Board tries to do is to
20 enhance buffers between neighbors so
21 there's setbacks.

22 Now, typically, a setback is 40
23 feet on either side, and in the front of
24 the property it could be as much as 60
25 feet, but 40 to 60 is the setback. And

1 that's where the Planning Board really
2 focuses, in terms of limiting
3 disturbance, limiting tree removal.

4 What we try to achieve as a Board
5 is to enhance the buffers. When a
6 builder submits their plans, we meet
7 with them and typically tell them it's
8 great, you're going to build a beautiful
9 house.

10 In Laurel Hollow, what I've been
11 taught, what I've been told is we don't
12 want to see your house. We don't want
13 to see your house, we want a glimpse of
14 your house. So in the front we want to
15 enhance the buffer.

16 When you drive up to Hilltop,
17 there's a lot of streets that you pass
18 where that is not the case anymore, and
19 it's just Dix Hills, just a lawn right
20 up to the house. We're trying to
21 correct that.

22 MRS. O'HARA: But we had years of
23 problems with 36 Hilltop. They wiped
24 out all the trees, they built a cement
25 palace and it's just -- they didn't live

1 by any of rules. Howard knows, they did
2 everything without permits, it was a
3 nightmare for us, it really was.

4 CHAIR HADJANDREAS: Things like
5 that have happened in the past that have
6 caused the Village Trustees to enhance
7 the law and to create fines and really
8 try and stop that from happening.

9 MRS. O'HARA: Thank you.

10 CHAIR HADJANDREAS: That's why,
11 again, what we wanted to show was the
12 buffer in the front is going to be a
13 significant, robust buffer with this
14 iteration, as well as on the sides.

15 The amount of -- we started off
16 with how many large trees -- that will
17 become large -- how many are going in
18 the ground?

19 MR. RIELLY: Total, it's about 29,
20 about 29.

21 CHAIR HADJANDREAS: Cut leaf
22 Japanese maple, those are small topiary
23 type, all right. So, 19 coming out, 29
24 going in.

25 MR. AVRUTINE: Your name and

1 address, please.

2 MR. TRAINOR: Thomas Trainor, 28
3 Picardy Lane.

4 MR. AVRUTINE: Thank you.

5 MR. TRAINOR: 28, I adjoin from the
6 back of the property.

7 CHAIR HADJANDREAS: So Picardy is
8 the street that leads up to Hilltop?

9 MR. TRAINOR: Basically, back that
10 way.

11 MR. RIELLY: It's a beautiful area
12 where all the properties combine. Backs
13 up to the huge Greenbelt that goes all
14 the way across Stillwell, a lot of deer
15 track.

16 MR. TRAINOR: Are they the trees
17 that are coming out, the green?

18 MR. RIELLY: The greens are to be
19 saved.

20 MR. TRAINOR: Which ones are coming
21 out?

22 MR. RIELLY: They are all the red
23 ones there. So, basically, inside of
24 the green ones, for the most part.

25 If you want to look at this list of

1 trees to be removed I have extras. You
2 can see the reason for the removal of
3 all, every single one of these trees and
4 they all need to be taken out.

5 MR. TRAINOR: I'm curious. The
6 existing house is a very large footprint
7 to start with. So the new house is
8 going to be in a different location?

9 MR. RIELLY: Comes forward. The
10 old house is more right here, and then
11 we come forward.

12 CHAIR HADJANDREAS: The old house
13 is a ranch style. The new house is a
14 two-story?

15 MR. CARTAGENA: Two-story colonial.

16 CHAIR HADJANDREAS: The footprint
17 is a little more compact.

18 MR. CARTAGENA: I think more
19 compact.

20 MR. TRAINOR: So I was wondering
21 why all the trees have to come down, I
22 guess a different location, driveway,
23 parking lot.

24 MR. RIELLY: Septic. There are a
25 lot of things. Especially when you are

1 putting in a new foundation, it is not
2 like you can dig straight down. You're
3 going down 10 feet, you have a V going
4 up. So if it's within about 10 feet of
5 that foundation, it really has to be
6 removed because you're going to be
7 ruining all the roots on one side and
8 they will be vulnerable.

9 MR. TRAINOR: But in the existing,
10 going over the existing footprint, it
11 wouldn't need the moving of it where the
12 existing was just directly behind.

13 MR. RIELLY: Demolition plan.

14 CHAIR HADJANDREAS: Here, this is
15 the existing house to be removed. The
16 new house is not on here, but this is
17 the existing house. And the new house
18 is going to be basically from here
19 forward.

20 What Vincent said earlier was they
21 are not removing anything in the
22 backyard at all, because there's already
23 enough room behind the existing house
24 moving it forward so that is going to
25 give them the yard.

1 MR. TRAINOR: Okay, thank you.

2 MRS. O'HARA: One more question.

3 How long do you think it will take?

4 MR. CARTAGENA: Once permitted,
5 between five and six months.

6 MRS. O'HARA: From beginning to
7 end?

8 MR. CARTAGENA: Hopefully.

9 CHAIR HADJANDREAS: It's going into
10 the prime building season, he's going to
11 have not minus 20 days.

12 I just want to, as a matter of
13 record, what the Board is asking you to
14 do with the plans that you submitted is
15 kind of a surgical approach. It's not a
16 bulldoze the lot, clear the lot, build a
17 house, throw a couple of trees in the
18 ground.

19 So what is going to have to happen
20 is besides the demolition plan being
21 updated to show the silk fence coming in
22 on both sides, you're also going to have
23 to protect all of the trees that are to
24 be saved.

25 Another thing is every tree that

1 you marked, 40-something trees with
2 spray paint, it will have time to wear
3 off or whatever. Maybe you can just
4 spray paint over the red-orange of
5 brown. We just don't want a mistake,
6 oh, it's marked, we're cutting this
7 down.

8 MR. CARTAGENA: We'll make sure of
9 it.

10 CHAIR HADJANDREAS: Maybe the guys
11 don't speak English, doesn't understand,
12 whatever, who knows. We don't want a
13 mistake to happen, because if it does,
14 that would be removal of a tree that is
15 not permitted and the Village fine is
16 \$5,000 per tree that is removed without
17 a permit. So, keep that in mind and
18 protect what you have to protect.

19 The other thing what Mr. Rielly
20 mentioned about, especially in the front
21 buffer, there is a lot of mountain
22 laurel that is not going to be affected.
23 The mountain laurel in the Village of
24 Laurel Hollow is protected, and
25 protected much more than the trees.

1 That has to be protected, as well as --
2 we don't want -- even if it's the
3 undergrowth, we don't want it being
4 trampled and cleared and then you just
5 saved the tree, we want the area to be
6 maintained.

7 MR. CARTAGENA: Okay.

8 CHAIR HADJANDREAS: Do any of the
9 Board Members have any questions for Mr.
10 Rielly or Mr. Cartagena?

11 MEMBER DiBLASIO: No.

12 MEMBER JONES: With that being
13 said, though, there is lawn on here, so
14 some of that will have to be disturbed.

15 CHAIR HADJANDREAS: In the front.

16 MR. RIELLY: Really, most of the
17 laurels that are going to get destroyed
18 are because of this driveway. There's
19 just no way we can do anything else.
20 There is maybe a group of laurel right
21 in here that I can protect, I can make a
22 bed out of that.

23 MEMBER JONES: Put grass around it.

24 MR. RIELLY: Anywhere that I can
25 protect the laurel, I will go about

1 doing it. Really, the lawn is pretty
2 minimal, the amount of lawn for a
3 two-acre house. It's not much, I forget
4 the exact, I think it's under 10,000
5 square feet of lawn, less than a quarter
6 acre. But all the efforts will be made
7 to save any of the laurel and the other
8 underbrush. He does not want to go in
9 there and do a strip job that we've seen
10 before.

11 So, as it was stated before, the
12 one other thing about granting the
13 permit to knock down the house is it has
14 become a hangout. We saw some beer cans
15 and rolling papers there. The police
16 were aware of the fact that there are
17 some kids there and it's good to get it
18 out of there, give them somewhere else
19 to go.

20 MRS. O'HARA: Until the demolition,
21 maybe we can just put some locks on the
22 doors, thank you.

23 CHAIR HADJANDREAS: Any other
24 questions?

25 MEMBER DiBLASIO: No.

1 MEMBER JONES: Within the
2 documents, the tree numbers will be in,
3 like which trees are coming down will be
4 in the form.

5 CHAIR HADJANDREAS: The latest
6 document that we received that was dated
7 January 10th did show the correct
8 amount, 19 trees to be removed.

9 The one thing that we did notice
10 was that the demolition plan, even on
11 the updated demolition plan, two trees
12 are supposed to be saved: Trees number
13 five and number six are still shown as
14 being removed. They are the wrong
15 color.

16 MR. RIELLY: Five and six.

17 CHAIR HADJANDREAS: And they are
18 with a red X. So, the changes that have
19 to be made in the demolition plan,
20 besides the silk fence being brought in
21 a minimum of 20 feet from the property
22 line on the north and south side of the
23 property, trees five and six have to be
24 shown as not being removed, being saved,
25 okay.

1 MR. RIELLY: Can I correct that on
2 these plans?

3 CHAIR HADJANDREAS: Correct and you
4 only have to resubmit two copies.

5 MR. RIELLY: Okay, we'll get two
6 copies.

7 CHAIR HADJANDREAS: Any other
8 issues?

9 (No response.)

10 Anybody else in the audience have
11 anything else to say about this
12 application?

13 MR. AVRUTINE: Ms. Bibla?

14 MS. BIBLA: I think everything is
15 covered. Mr. Rielly did a nice job.

16 MR. AVRUTINE: Motion to close the
17 Public Hearing.

18 CHAIR HADJANDREAS: Motion.

19 MEMBER JONES: Second.

20 MR. AVRUTINE: By Chair
21 Hadjandreas, seconded by Member Jones.

22 All in favor?

23 MEMBER DiBLASIO: Aye.

24 MEMBER JONES: Aye.

25 CHAIR HADJANDREAS: Aye.

1 MR. AVRUTINE: Let the record
2 reflect that this matter is deemed Type
3 II under the New York State
4 Environmental Quality Review Act.

5 Motion on the application.

6 CHAIR HADJANDREAS: Motion to
7 approve.

8 MR. AVRUTINE: Motion to approve by
9 Chairman Hadjandreas with the condition
10 that the silk fence be relocated to a
11 point a minimum of 20 feet from both the
12 northerly and southerly property lines,
13 and that trees number five, six and 18
14 must be shown on the revised plan as
15 remaining. Otherwise in accordance with
16 the revised plan to be submitted, as
17 well as the trees to be removed, sheet
18 dated December 27, 2018 indicating that
19 the total number of trees to be removed
20 as 19, as well as the proposed landscape
21 plant list last revised January 10,
22 2019. Both of those documents also
23 stamped received January 14, 2019.

24 Is my statement of everything
25 correct, as far as the motion is

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concerned?

CHAIR HADJANDREAS: Yes.

MR. AVRUTINE: Do we have a second on the motion?

MEMBER DiBLASIO: Second.

MR. AVRUTINE: Second by Member DiBlasio.

All in favor?

CHAIR HADJANDREAS: Aye.

MEMBER DiBLASIO: Aye.

MEMBER JONES: Aye.

MR. AVRUTINE: Approved as stated.

* * * * *

C E R T I F I C A T I O N:

I, Mary Anne Coppins, Court Reporter, hereby certify that the above transcript is a true and accurate copy of the minutes taken by myself stenographically in the within matter.

Mary Anne Coppins
Court Reporter