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INCORPORATED VILLAGE OF LAUREL HOLLOW
PLANNING BOARD
PUBLIC HEARING
May 29, 2018
7:00 p.m.

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

PRESENT: CHRIS HADJANDREAS, Chairman
SCOTT ABRAMS, Member
ELIZABETH DiBLASIO, Member
NANCY JONES, Member
JAMES GALTIERI, Member

ALSO PRESENT:

HOWARD AVRUTINE, Village Attorney
JAMES ANTONELLI, Village Engineer

P3-2018 & T10-2018 - Grgas - 1 Woodfi el d Court
Slope and Trees

RONALD KOENIG
OFFICIAL COURT REPORTER

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1 MR. AVRUTINE: This is the public hearing,
2 Application P3-2018 and T10-2018, the application of
3 Mark Grgas, 1 Woodfield Court.

4 This is the public hearing on the applications
5 of Mark Grgas, 1 Woodfield Court, for approval to remove
6 26 trees, construct a new single-family home, disturbing
7 steep and very steep slopes as shown on the site plan
8 prepared by Bladykas & Panetta, L.S. & P.E., P.C., dated
9 April 16, 2018, and last revised April 30, 2018.

10 The parcel of property is also known as
11 Section 14, Block A, Lot 1129 on the Land and Tax Map of
12 Nassau County.

13 The exhibit list in connection with this
14 application is as follows:

15 First, notification from the Nassau County
16 Planning Commission dated May 8, 2018, that the matter
17 is referred to the village of Laurel Hollow Planning
18 Board to take action as it deems appropriate.

19 The next exhibit is the public notice dated
20 May 10, 2018.

21 The next exhibit is an affidavit of posting
22 from Elizabeth Kaye that the legal notice was posted on
23 the front bulletin board in front of the village Hall on
24 May 18, 2018.

25 The next exhibit is an affidavit of

1 publication that the legal notice was published in the
2 Oyster Bay Guardian on May 18, 2018.

3 The next exhibit is a document that confirms
4 that the legal notice was published to the village
5 website on May 15, 2018 and sent to village website NEWS
6 subscribers on May 22, 2018.

7 The final exhibit is an affidavit of mailing
8 from the applicant indicating that the notice of public
9 hearing was mailed on May 14, 2018 and May 18, 2018, to
10 the individuals set forth in the affidavit.

11 Do we have a representative here in connection
12 with this application?

13 MR. RANT: Good evening, Mr. Chairman, Members
14 of the Board. My name is Michael Rant from the firm
15 Bladykas & Panetta here this evening representing the
16 owners, Mr. and Mrs. Grgas seeking approval to construct
17 a new single-family dwelling.

18 We also have Steve Homburger from GHG
19 Architects who can speak about the architecture if the
20 Board has any questions, and Scott Sheehan from the
21 Laurel Group.

22 The property is located on 1 Woodfield Court.
23 It's just south of Springwood Path, and it's an existing
24 vacant parcel. There is a decent amount of topography
25 throughout the site. From Woodfield Court to the rear

1 of the property, there's approximately a 30-foot grade
2 change, and it does slope as well from the south to the
3 north with a low point, a bit of a ridgeline that runs
4 through the center of the property in the rear.

5 we're locating the driveway curb cut on the
6 north side of the property in order to avoid this
7 existing knoll and heavily wooded tree area. And we're
8 situating a front courtyard in the center of the
9 property within the building envelope.

10 we're also proposing a new rear terrace, a
11 swimming pool, a cabana, and some boulder retaining
12 walls. We have small boulder retaining walls in the
13 rear of the property approximately 3 feet in height, and
14 those are to help limit the regrading of the rear of the
15 property and preserve as many of the trees in the rear
16 of the property itself.

17 we're providing a new drainage system in
18 accordance with the village's standards containing all
19 runoff as well as a new sanitary system in accordance
20 with Nassau County Department of Health.

21 We have a total of 26 trees that we're seeking
22 removal ranging in sizes from just above the regulated
23 size to larger trees. Again, the bulk majority of the
24 tree removal is really focused in the center building
25 envelope, and we tried to preserve the natural borders

1 as much as possible.

2 we're here this evening also seeking a slope
3 land permit, and as part of our application we prepared
4 a slope analysis map. There are some swaths of steep
5 slope that run really in the center of the parcel
6 itself, and there is a small area of very steep slope
7 along the north side. So the bulk of the construction
8 that's being disturbed is steep slope. Because there is
9 a slope on the north side, we needed to do some
10 regrading really just to help contain our runoff. So
11 we're creating these drainage areas on the north side,
12 and that is where the disturbance of that very steep
13 slope is. Again, the structures themselves are located
14 in steep slope, and the grading necessary to contain our
15 runoff falls within the steep slope category.

16 If the Board has any questions regarding the
17 site itself, the grading and drainage, I will be happy
18 to explain them or we can move on to the landscape
19 portion of the project.

20 CHAIRMAN HADJANDREAS: In terms of grading,
21 you mentioned the slope as you go, is it south, on
22 Woodfield Court and going from Springwood up to
23 Cedarfield, basically the way I'm seeing this, is the
24 lot going to be -- right now the lot is at a plane of,
25 you know, I don't know how many degrees, but it's going

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1 to be cut on one side and filled on the other so the
2 dirt and soil is going to basically stay on the lot,
3 you're just reconfiguring it?

4 MR. RANT: Correct.

5 We tried to maintain as close to a balance,
6 cut and fill, as possible. So we are cutting in an area
7 to create a flat level pad for the house and the pool
8 and the amenities, and we're utilizing the fill to
9 decrease the slope of the driveway and to create these
10 containment areas. So our total net soil being removed
11 for the entire project is approximately 327 cubic yards.
12 For a project of this size and this scope, just to get a
13 sense of that, just the excavation for the foundation is
14 close to 1200 cubic yards. So we're really trying to
15 utilize as much of the fill on one side as possible
16 which would limit the truck traffic throughout the
17 village which helps preserve the roadway system. We're
18 cognizant of the balance cut and fill effort.

19 CHAIRMAN HADJANDREAS: Are there any questions
20 from the Board in regards to the slope disturbance?

21 MR. RANT: We can move on to Scott Sheehan
22 from the Laurel Group and speak about the landscaping.

23 MR. SHEEHAN: Good evening, Mr. Chairman and
24 Members of the Board. My name is Scott Sheehan,
25 S-H-E-E-H-A-N, landscape architect, representing the

1 homeowners of this property.

2 As Mike Rant has stated, we've looked at the
3 location of the home to see if it can fit best on the
4 property for a number of reasons, for grading and
5 especially positioning and tree removal, especially, you
6 know, to make sure that we have the least amount
7 possible to remove on this site.

8 And based on the locations of this property,
9 we positioned the driveway at such a place where it
10 doesn't impact this knoll over here on the property on
11 the street side of woodfield on the, I guess, the
12 southern side. As the driveway serpentine up, we have
13 a courtyard there which has this small boulder wall to
14 help retain that with an allée of trees marching up the
15 driveway of significant size at 4-inch-caliper zelkova
16 trees.

17 There is a front foundation planting here for
18 the garage area as well as for the entry location, and
19 screening of generator location on the north side of the
20 home with evergreen shrubs as well as evergreen shrubs
21 on the right side of the property, kind of separating
22 the pool area from the lower portion of the property.

23 The exit of the home outside the rear of the
24 house has a nice structured pergola which leads to a
25 lower terrace. Working with the grades, we've developed

1 a way to kind of transition up to the pool area so we're
2 removing less fill, as Mike Rant explained. And having
3 a nominal sized 20-by-40 pool with plate locations
4 towards the shallow end of the pool, which is closer to
5 the house, a 14-foot-wide patio space for lounge chairs,
6 and that reduces down to 6 feet around the perimeter of
7 the back side of the pool that is less used.

8 There's a pool equipment location off the
9 right side of the back of the pool which is fully
10 screened by 4-to-5-foot-high evergreen shrubs. And then
11 you can see as the boulder wall wraps around, also
12 working with the grades to bring up to an upper terrace,
13 which is lawn space underneath the canopy of these
14 existing trees.

15 The left side of the property has screening
16 from the neighborhood on the left where we have mostly
17 all evergreen trees on this side at 8 to 10 foot high.
18 If you notice, the fencing is also located on the
19 interior. That's due to just accommodation of a
20 neighbor not having to see the fence there, and it's
21 interior of the property, so the screening is on the
22 outside of that fence.

23 There is a recent exhibit that you want me to
24 submit that was a discussion with the homeowner and the
25 neighbors, and they have a request for a shift of the

1 location of these trees. I can show you here. This is
2 where they are located now. And the request from the
3 neighbor here was to shift it more forward. We can take
4 the density of this here and bring it to this location
5 to accommodate the neighbor and have screening of this
6 portion of the property rather than this rear portion of
7 the property.

8 Also, on the north side there's a neighbor
9 here that requested some screening in this location. We
10 can accommodate that by having additional evergreen
11 trees of spruce and cryptomeria as well in that location
12 to accommodate that neighbor to the right.

13 This is going to be submitted to the Board, if
14 you would like to take that.

15 MR. AVRUTINE: This is a revised plan?

16 MR. SHEEHAN: Well, I can revise my plan. It
17 was brought up to me that there was discussion with the
18 neighbors today on that.

19 MR. AVRUTINE: A discussion between who?

20 MR. SHEEHAN: The homeowner and the neighbor
21 themselves.

22 MR. AVRUTINE: You know, the Board does not --
23 if you're submitting a revised plan, then that's the
24 applicant's decision to make.

25 MR. SHEEHAN: Correct.

1 MR. AVRUTINE: So that's why I'm asking the
2 question if it is your intention to modify the plan to
3 accommodate the accommodations that you just described.

4 MR. SHEEHAN: I believe so, correct.

5 MR. AVRUTINE: Is there going to be a formal
6 revision?

7 MR. SHEEHAN: Yes, there will. I wanted to
8 discuss it with the Board members as we're here today to
9 discuss all aspect of the landscape.

10 MR. AVRUTINE: I don't think the Board has
11 seen it.

12 CHAIRMAN HADJANDREAS: No, we haven't.

13 So this is different than what was originally
14 submitted by just basically shifting the screening
15 towards woodfield and adding additional screening along
16 the --

17 MR. SHEEHAN: Yes. This is what was submitted
18 in this location here. So we're shifting it forward, as
19 that is highlighted there, and additional planting down
20 on this side here.

21 MR. AVRUTINE: The property to the south is
22 Albers, is that Lot No. 4?

23 CHAIRMAN HADJANDREAS: Yes.

24 MR. AVRUTINE: There was a letter.

25 I just wanted to clarify that the Albers'

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1 property is to the south of the project.

2 CHAIRMAN HADJANDREAS: I want to have
3 everybody on the Board a chance to look at what they're
4 submitting as their revised landscape plan and see if
5 you guys have any questions, now is the time, in terms
6 of landscaping for the subject property.

7 MEMBER ABRAMS: The change is clear. This
8 change is no more difficult to understand than the
9 change that was just presented to us for the prior piece
10 of property.

11 MEMBER GALTIERI: Not only that, but it seems
12 to be in accommodation of the neighbor which is a
13 positive.

14 MR. AVRUTINE: Two neighbors, to the north and
15 south, apparently.

16 CHAIRMAN HADJANDREAS: The question I have,
17 above the property, is there a residence above or is
18 that vacant land?

19 MR. SHEEHAN: There is not an abutting home
20 that is visible to this location.

21 CHAIRMAN HADJANDREAS: And there is
22 approximately what, 150 feet between them anyway?

23 MR. SHEEHAN: At least.

24 CHAIRMAN HADJANDREAS: That's not being
25 disturbed.

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1 Do any Board members have any questions about
2 the landscaping plan that's being revised or any
3 questions about the landscaping on this project?

4 MEMBER JONES: What he is showing us, is that
5 what the letter, the neighbor, was asking for?

6 MR. AVRUTINE: Since you're asking, Member
7 Jones, we have an e-mail dated May 29, 2018 from Kerri
8 Albers whose address is 21 Woodfield Court. We will
9 make it part of the record. It is a letter that is
10 generally in support. I will read the applicable
11 portion.

12 It says, The only area that we would like some
13 screening is on the angle between our house and the
14 front portion of their house. This would be the area
15 from the back corner of our shed to the back of our pool
16 area.

17 I don't know really whether that description
18 illustrates sufficiently to answer your question, but
19 that's what the letter states.

20 MEMBER JONES: There was a road back there,
21 like a driveway or something. Is that by where that is?

22 MR. SHEEHAN: I'm not familiar with what the
23 neighboring --

24 MEMBER JONES: Remember that road when we were
25 standing back on the property?

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1 MR. SHEEHAN: That's behind the house. So
2 that's not -- I believe what you're talking about is the
3 west side, there's a driveway. So this is --

4 MEMBER JONES: Back by the pool area over on
5 the side.

6 CHAIRMAN HADJANDREAS: It was the neighbors, I
7 guess, accessing the rear of their yard.

8 In regards to the e-mail that was sent, we can
9 ask if this is answering the concern that she had?

10 MR. AVRUTINE: We can.

11 CHAIRMAN HADJANDREAS: In regards to the
12 landscaping that is presented, are there any other
13 questions from the Board in terms of what is being
14 proposed or what is being removed, and also in regards
15 to the disturbance of the slope?

16 MEMBER ABRAMS: I would like to find out a
17 little more about the large tulip tree that's in the
18 center of the front yard that's slated to come out.

19 MR. SHEEHAN: I believe that's in Location
20 No. 6.

21 MEMBER ABRAMS: Yes.

22 MR. SHEEHAN: It is a large tulip tree. We
23 tried to navigate the driveway to work itself around
24 that, but subsequently with the grading necessary to
25 develop the property, it would impact the tree itself

1 and just be detrimental to the tree one way or the
2 other. Even if there was a way to try to save that
3 tree, the tulip trees tend to be a lot more sensitive in
4 terms of their root structure, and any form of, type of
5 disturbance, even just truck traffic being there would
6 give an inevitably slow death to that tree. The way
7 they survive those types of things is very rare.

8 with having the construction of a property and
9 then having it decline over the next few years and then
10 having to take it out and potentially damage things,
11 it's prudent to take it out now in the beginning while
12 there is not a problem with that in the near future.

13 CHAIRMAN HADJANDREAS: The question I have,
14 this might be for Mr. Rant, the height of the proposed
15 driveway right in that area where that tree is, how
16 different is it from the existing elevation that's there
17 today?

18 MR. RANT: At the tree, the grade is being
19 raised approximately 4 feet, a 4-foot grade change. And
20 even to, as Mr. Sheehan had mentioned as far as the root
21 system, to create a type of tree well, you would need to
22 be 30 feet away from the tree, which would put you way
23 out in this area, you know. It's an area that you have
24 heavy demand for site work, for drainage, for piping,
25 for utilities. So even if you were able to save it some

1 way, the construction vehicles themselves and the
2 disturbance that would be necessary to facilitate the
3 home would cause severe damage to the root system
4 itself.

5 And again, as you move the development to
6 another location to try and save one tree, you end up
7 having to take down two more trees. So we feel that the
8 balance that we created, unfortunately removing this
9 helps us save additional trees in other areas of the
10 property.

11 MEMBER ABRAMS: I understand. Thank you for
12 the clarification.

13 MR. RANT: You're welcome.

14 CHAIRMAN HADJANDREAS: Any other questions
15 from the Board in regard to slope or landscaping?

16 MR. AVRUTINE: Mr. Antonelli, do you wish to
17 address the application?

18 MR. ANTONELLI: I reviewed the site
19 engineering which included grading, drainage, sanitary
20 sewage disposal, the site access and vehicular
21 circulation and erosion control. And the plan that is
22 part of your package revised April 30 was acceptable
23 with one exception, and I want to add something to it
24 for tonight.

25 The proposed septic tank is 1500 gallons. It

1 has to be 1750 to meet the latest state standard. It's
2 not a county standard. It's a state standard now. I
3 apologize. I had overlooked it when I reviewed it.

4 Regarding the slope, basically the way I see
5 this is, about half the driveway and half the parking
6 court are in a steep slope area, and a portion of the
7 house. Other than that, it's just chasing grade or
8 catching up to grade to make the grades work. To the
9 north it gets into the very steep category. So it's not
10 like they came in and decided let's put the house down
11 on the very steep slope. They didn't. They're trying
12 to create that earthwork balance and make a platform, so
13 to speak, to place the house on.

14 Having said that, I did review the SEQRA short
15 form that was submitted. And just so the Board
16 understands, although SEQRA says that the construction
17 of a single-family house is a Type II action, but this
18 village does consider steep slope disturbance and the
19 volume of earthwork that is involved to be an unlisted
20 action, so the appropriate form, the short form, was
21 submitted. I did review that and I did complete the
22 Part 2 of that on behalf of the village. I have it here
23 for you, if you are going to make any type of a
24 decision.

25 MR. AVRUTINE: Do you have a recommendation?

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1 MR. ANTONELLI: Based on the information
2 provided and my experience, I recommend that this is
3 a -- that this project would not have a significant
4 adverse environmental impact as submitted.

5 MR. AVRUTINE: Just a couple housekeeping
6 items.

7 We are going to mark as Applicant's Exhibit 1
8 the landscape plan dated March 20, 2018 with handwritten
9 notes dated 5/29/18. This is the landscape plan which
10 depicts the changes in landscaping which was previously
11 described.

12 And then as Applicant's Exhibit B is the
13 e-mail from Kerri Albers dated May 29, 2018.

14 CHAIRMAN HADJANDREAS: Before we open it up to
15 the public, one thing I wanted to -- this was already
16 presented as evidence which is Elizabeth Bibla,
17 Landscape Architect, the arborist's review of the
18 property. And she does mention about the three large
19 tulip trees, and I want to just state what she says.

20 These trees are close enough to the proposed
21 house and construction elements to cause serious damage
22 would it to fall in a storm. Two of the three are also
23 in less than ideal health with large cavities in one and
24 a significant bark tear from a large limb breaking off,
25 and that's the one that's in their pool basically.

1 Grading and drainage will also cause significant impact
2 to these trees.

3 That's the letter from the village arborist.
4 And if she felt preserving these trees was, you know,
5 because we have a tree list, that we need to preserve,
6 she would have stated that in her report.

7 So in regards to this proposal, if there is
8 anybody from the audience that would like to speak in
9 regards to landscaping, trees, slope disturbance, now is
10 the time.

11 Mr. Albers?

12 MR. ALBERS: Kyle Albers, 21 Woodfield Court.
13 We're in complete support for what the Grgases
14 are doing with their construction. And we've been in
15 contact with them as any thoughts that we have for the
16 project. And they've been more than, you know, willing
17 to talk and make changes.

18 MR. AVRUTINE: Have you seen the revised plan?

19 MR. ALBERS: I didn't really.

20 MR. AVRUTINE: Would you like to take a look
21 at it to make sure --

22 MR. ALBERS: I kind of trust them.

23 MR. AVRUTINE: -- to make sure it has your
24 concerns addressed?

25 MR. ALBERS: That's fine. We are more up

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1 here, so it's just really coming down.

2 MR. AVRUTINE: I wanted to make sure because
3 we have the letter, and apparently they are making a
4 change to accommodate you, so I would like to note for
5 the record whether that is the change you had requested.

6 MR. ALBERS: Yes. That's fine. Thank you.

7 CHAIRMAN HADJANDREAS: Anyone else from the
8 audience that would like speak?

9 MR. AVRUTINE: Motion to close the public
10 hearing?

11 CHAIRMAN HADJANDREAS: Motion.

12 MR. AVRUTINE: Chairman Hadjandreas.
13 May I have a second?

14 MEMBER GALTIERI: Galtieri.

15 MR. AVRUTINE: Member Galtieri.
16 All in favor?

17 CHAIRMAN HADJANDREAS: Aye.

18 MEMBER ABRAMS: Aye.

19 MEMBER DiBLASIO: Aye.

20 MEMBER JONES: Aye.

21 MEMBER GALTIERI: Aye.

22 MR. AVRUTINE: May I have a motion for the
23 Board to declare itself lead agency under the New York
24 State Environmental Quality Review Act?

25 Member Abrams making the motion, seconded by

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1 Member Galtieri.

2 All in favor?

3 CHAIRMAN HADJANDREAS: Aye.

4 MEMBER ABRAMS: Aye.

5 MEMBER DiBLASIO: Aye.

6 MEMBER JONES: Aye.

7 MEMBER GALTIERI: Aye.

8 MR. AVRUTINE: And a motion to declare the
9 matter unlisted under the New York State Environmental
10 Quality Review Act?

11 Member DiBlasio.

12 May I have a second?

13 MEMBER JONES: Yes.

14 MR. AVRUTINE: Member Jones.

15 All in favor?

16 CHAIRMAN HADJANDREAS: Aye.

17 MEMBER ABRAMS: Aye.

18 MEMBER DiBLASIO: Aye.

19 MEMBER JONES: Aye.

20 MEMBER GALTIERI: Aye.

21 MR. AVRUTINE: And a motion to enact a
22 negative declaration under the New York State
23 Environmental Quality Review Act stating that the
24 application as approved will not result in significant
25 environmental impacts?

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1 Member DiBlasio.

2 May I have a second?

3 CHAIRMAN HADJANDREAS: Second.

4 MR. AVRUTINE: By Chairman Hadjandreas.

5 All in favor?

6 CHAIRMAN HADJANDREAS: Aye.

7 MEMBER ABRAMS: Aye.

8 MEMBER DiBLASIO: Aye.

9 MEMBER JONES: Aye.

10 MEMBER GALTIERI: Aye.

11 MR. AVRUTINE: And a motion on the
12 application? This is the tree removal and slope
13 disturbance.

14 CHAIRMAN HADJANDREAS: Motion to approve.

15 MR. AVRUTINE: In accordance with the plan
16 submitted and in accordance with the revised landscape
17 plan which will be submitted formally with a revision
18 date that will reflect the changes which are depicted on
19 Applicant's Exhibit A.

20 MR. ANTONELLI: And one more condition that
21 I've mentioned, the septic tank has to be increased to
22 1750 gallons. They may be able to make a depth
23 modification.

24 CHAIRMAN HADJANDREAS: To the existing, okay.

25 MR. AVRUTINE: Okay. The approval is

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1 conditioned upon the revised landscape plan which is the
2 hand drawn Exhibit A, and modification to include a
3 1750-gallon septic tank; is that correct?

4 MR. ANTONELLI: Correct.

5 MR. AVRUTINE: Moving that motion?

6 MEMBER ABRAMS: Do we need to clarify that
7 that's to replace an existing septic? We are not adding
8 that one.

9 CHAIRMAN HADJANDREAS: It's a new house.

10 MR. ANTONELLI: There is nothing there.

11 MEMBER ABRAMS: But there is one on the plan.

12 MR. ANTONELLI: Rather than 1500, it's 1750.

13 MR. AVRUTINE: It's replacing the one on the
14 plan.

15 Do we have someone moving that?

16 CHAIRMAN HADJANDREAS: The revisions or the
17 motion to approve?

18 MR. AVRUTINE: Motion to approve with the
19 conditions.

20 CHAIRMAN HADJANDREAS: I motion to approve.

21 MR. AVRUTINE: Chairman Hadjandreas.

22 A second?

23 MEMBER ABRAMS: Abrams.

24 MR. AVRUTINE: All in favor?

25 CHAIRMAN HADJANDREAS: Aye.

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MEMBER ABRAMS: Aye.

MEMBER DiBLASIO: Aye.

MEMBER JONES: Aye.

MEMBER GALTIERI: Aye.

MR. AVRUTINE: Approved with the conditions as
stated.

MR. RANT: Thank you.

MR. SHEEHAN: Thank you.

CERTIFIED THAT THE FOREGOING IS A TRUE AND
ACCURATE TRANSCRIPT OF THE ORIGINAL STENOGRAPHIC MINUTES
IN THIS CASE.

RONALD H. KOENIG
Senior Court Reporter