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INCORPORATED VILLAGE OF LAUREL HOLLOW
PLANNING BOARD
PUBLIC HEARING
July 17, 2018
7:30 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

Slope Application P4-2018 and Tree Removal Application
T15-2018 - Gary Andriotis

RONALD KOENIG
OFFICIAL COURT REPORTER

1 MR. AVRUTINE: This is the hearing on the
2 application of Gary Andriotis, Slope Application under
3 Case No. P4-2018 and Tree Removal Application Case No.
4 T15-2018.

5 This is the public hearing on the application
6 of Gary Andriotis at 44 Timber Ridge Drive for approval
7 to remove 22 trees and construct a new wall, driveway
8 and drainage which will disturb a steep and very steep
9 slope as shown on the site plan as prepared by Bladykas
10 & Panetta, L.S. & P.E., P.C., dated 9/29/2017 and last
11 revised 4/18/2018, and partial topographic map prepared
12 by Bladykas & Panetta L.S. & P.E., P.C., dated
13 8/31/2017.

14 The parcel of land under application is also
15 known as Section 26, Block 2, Lot 11 on the Land and Tax
16 Map of Nassau County.

17 The exhibits in connection with this hearing
18 are as follows:

19 First, notification from the Nassau County
20 Planning Commission dated July 2, 2018 that the matter
21 is referred to the Village of Laurel Hollow Planning
22 Board to take action as it deems appropriate.

23 The next exhibit is an affidavit of posting
24 from Elizabeth Kaye that the legal notice was posted on
25 the front bulletin board at the Village Hall on June 29,

1 2018.

2 The next exhibit is a copy of the legal notice
3 and affidavit of publication dated July 6, 2018,
4 indicating that the legal notice was published in the
5 Oyster Bay Guardian on July 6, 2018.

6 The next exhibit is a document that confirms
7 that the legal notice was published to the village
8 website on June 27, 2018.

9 And the final exhibit is an affidavit of
10 mailing from the applicant indicating that the notice of
11 public hearing was mailed on July 9, 2018 to the
12 individuals set forth in the affidavit.

13 Do we have a representative here on behalf of
14 the applicant?

15 MR. RANT: Good evening, Mr. Chairman and
16 Members of the Board. My name is Michael Rant from the
17 firm Bladykas & Panetta. I'm here this evening
18 representing the owners of 44 Timber Ridge Drive.

19 We are seeking an approval to reconstruct an
20 existing driveway and add a secondary curb cut. We are
21 here before the Board because we are disturbing some
22 portions of regulated slope as well as seeking the
23 removal of 22 trees.

24 The existing driveway is located in the center
25 of the property. It's a single car entrance into the

1 property and it's located at the low point of Timber
2 Ridge Road. So as you're heading from the east -- I'm
3 sorry, the west towards the east, there is an incline
4 slope. The Board members have been to the property. If
5 you are leaving the driveway looking to the left, there
6 is a very limited sight distance for any cars coming up
7 the road, maybe about 50 feet before you can actually
8 see the vehicle. So one of the main reasons that we're
9 proposing the secondary curb cut is for safety. The new
10 curb cut is located further to the east and it gives a
11 greater amount of sight distance for those cars that are
12 traveling up that hill.

13 Another reason and purpose why we're here this
14 evening is for the expansion. Currently, there isn't a
15 true area that a car, a vehicle, can turn around the
16 property. So many times if a car is in the driveway,
17 they would either have to back out, pull a, you know, a
18 very difficult turn around area adjacent to the garage.

19 These are some of the reasons why we're here
20 this evening, to create a driveway that's more
21 beneficial to the property, more in character with many
22 of the driveways in the area.

23 There are a number of small areas of steep
24 slope. We are disturbing a steep slope section right in
25 the center of the property. And along the eastern

1 portion of the property, there are two sections of very
2 steep slope. They're very minimal in nature, and the
3 disturbance themselves is minute and do not create any
4 adverse impact to the surrounding properties.

5 As far as the trees that are to be removed,
6 the trees themselves are really there for removal are
7 there for the excavation necessary for the driveway, the
8 regrading that's necessary, and the installation of all
9 the necessary improvements which would include a boulder
10 embankment that's located adjacent to the existing
11 garage. It has a maximum height of 3 feet. It's a
12 natural stone wall meant to blend in with the
13 landscaping.

14 We are providing a new drainage system that
15 complies with the current rules and regulations of the
16 village. Currently, the driveway does not comply with
17 the standards of the village. So by implementing this
18 plan, would allow the driveway itself and the proposed
19 improvements to be brought to the current standards of
20 the village.

21 There was a landscape plan that was just
22 submitted this evening. I apologize for the late
23 submission. I do have a large copy that I can go
24 through and highlight some of the key points on the
25 landscape plan.

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1 So there was a memo issued by Elizabeth Bibla,
2 the arborist for the village, and she brought up some
3 concerns regarding the tree removal and the visibility
4 from Timber Ridge Road.

5 Currently, there is a knoll that separates the
6 driveway from Timber Ridge and gives adequate screening.
7 So we are cutting down a portion of that knoll, but we
8 are looking to maintain it, again, a portion in this
9 center island. So our driveway will be about 4 to 5
10 feet lower than that knoll. Again, looking to maintain
11 as much of that knoll as possible.

12 Flipping back to the site plan. We are also
13 maintaining, from the edge of road, about 35 feet of
14 natural vegetation and area. So that area, 35 feet in
15 depth, and there's a number of trees in there, that
16 would remain in its natural state. So really the
17 grading that's going to be required and that would
18 necessitate the removal of the trees is really interior
19 of the property.

20 That area would be relandscaped. There is a
21 substantial amount of vegetation that's going to be
22 installed. In this center island, there's a number of
23 deciduous trees as well as some evergreen screening that
24 would help that lower undergrowth vegetation. There's
25 rhododendron and skip laurel that would be in-filled in

1 that area as well as ground cover to help with any soil
2 stabilization.

3 The second area of concern was that east
4 property line which we show a number of trees to be
5 removed. On this landscape plan, it does have a
6 hatched-in area. There are a number of trees that fall
7 within about 10 to 15 feet of the property line that are
8 to be preserved. They are not for removal. Those are
9 dotted on the landscape plan as existing trees to
10 remain.

11 There would be some existing vegetation and
12 buffer that will be maintained. And we will be
13 in-filling that entire sloped area with a number of
14 deciduous trees to help with the upper-story landscaping
15 and as well as understory evergreen screening, mostly
16 skip laurel and mountain laurel and cherry laurel that
17 would be planted throughout that slope to help with
18 screening as well as help stabilize that new slope plan
19 that we're creating.

20 Any questions from the Board?

21 CHAIRMAN HADJANDREAS: I have a question.

22 On the eastern side where you're cutting into
23 the slope along the property line, that's getting
24 regraded up to a certain point or is the whole area up
25 to -- like how close are you coming to the trees that

1 are staying with grading?

2 MR. RANT: The proposed grading stops at about
3 10 to 15 feet from the property line. So there will be
4 an area that's left in its natural state. And again, in
5 that 10-to-15-foot strip, there's approximately 10 trees
6 that range in size between 12 to 28 inches that would
7 remain in that area.

8 CHAIRMAN HADJANDREAS: The buffer that's
9 there, how far does that buffer extend into the
10 neighbor's property? In other words, like, you're going
11 to be taking out a significant portion of it, but what's
12 left in -- how far does it --

13 MR. RANT: There is a substantial amount of
14 screening that exists on the neighbor's property as well
15 that would be preserved and maintained. I believe it's
16 approximately 20 feet or so that would help -- again, if
17 you're standing on the neighbor's property, currently
18 you can't see into the property because of her existing
19 vegetation. So we would be preserving that, maintaining
20 the existing 10 to 15 foot on our property and adding a
21 substantial amount of vegetation in the disturbed area
22 that would help screen additionally.

23 Another item to be aware of is, there is a
24 large grade change from our property to the neighbor's
25 property. We're about 10 to 12 feet lower. So their

1 view would be essentially over any of the proposed
2 improvements itself. So our garage is at an elevation
3 119 and the property line is at elevation 130. So we
4 would be sunk in much lower and the vegetation and grade
5 change would definitely facilitate and help improve any
6 visual impact.

7 CHAIRMAN HADJANDREAS: And in regards to the
8 drainage for the driveway, all of the dry wells are
9 located in what you're calling the knoll in the island
10 part of the driveway?

11 MR. RANT: Correct.

12 CHAIRMAN HADJANDREAS: Is there, you know, to
13 avoid that, could you locate those elsewhere and not
14 impact that area or it's unavoidable?

15 MR. RANT: The main reason that these trees --
16 again, there's a cluster of about five or six trees that
17 are to be removed. The removal themselves are for the
18 necessary grading for the driveway. The two largest
19 trees in that area, two 24-inch trees, they fall within
20 a foot or two of the proposed driveway. There is a cut
21 of grade about 3 feet in depth. So the grading and the
22 proximity to the trees to the proposed driveway is
23 really why those trees are necessary for removal. We
24 are not removing any additional trees in that area by
25 placing the dry wells in. We feel that it's an area

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1 that has to be disturbed for the construction. It makes
2 sense to put the drainage in there rather than disturb
3 an additional area of the property.

4 CHAIRMAN HADJANDREAS: Any other Board members
5 have any questions for Mr. Rant?

6 MEMBER JONES: So you're going to be going
7 down about 10 feet with the cut for the driveway?

8 MR. RANT: We're already down 10 feet.

9 MEMBER JONES: But now with the new driveway?

10 MR. RANT: The new driveway --

11 MEMBER JONES: When you cut through, it's
12 going to be a 10-foot difference, right?

13 MR. RANT: At the garage --

14 MEMBER JONES: No. Go to the street.

15 MR. RANT: No. The driveway will slope up to
16 the street. So the cut -- the highest amount of cut
17 that's actually being -- that's necessary for the
18 driveway is about 3 to 4 feet. It's going to slope up.

19 CHAIRMAN HADJANDREAS: Do you know what that
20 grade is going to be on that new driveway?

21 MR. RANT: The new driveway coming in, it has
22 a maximum slope of I believe 12 percent. And we did
23 make some modifications to the entrance of the driveway
24 as per the village engineer to reduce that to a
25 10 percent slope. And then coming into the property,

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1 the downward slope into the driveway, I believe is about
2 8 percent.

3 CHAIRMAN HADJANDREAS: So it flattens out?

4 MR. RANT: Correct.

5 MEMBER ABRAMS: How much of the area that
6 you're disturbing is very steep slope?

7 MR. RANT: There is 960 square feet of very
8 steep slope.

9 MEMBER ABRAMS: You mentioned earlier that on
10 the east side there was going to be rocks or boulders
11 there. When we met with the homeowner on Sunday, I
12 guess it was, the thought was it maybe wouldn't be that,
13 it maybe would be retaining blocks or something.

14 MR. ANDRIOTIS: Just maybe. I don't know yet.

15 MR. AVRUTINE: Sir, could you give your name
16 and address for the record.

17 MR. ANDRIOTIS: Gary Andriotis, 44 Timber
18 Ridge Drive.

19 MR. RANT: So the plan as proposed is for a
20 natural boulder embankment. If the owner decides to go
21 with a different type of material, the height of the
22 wall itself would remain the same. The owner is on the
23 lower side of the wall, so the only person that can
24 visually see the wall is the owner. Anyone else -- and
25 the neighbor, they're on the high side, so they wouldn't

1 be able to visually see the wall. It's really more of a
2 material change. The only person impacted is the
3 homeowner.

4 MEMBER ABRAMS: I wanted to make sure. Is
5 there a problem if the plan shows natural stone boulders
6 and the homeowner uses a different product?

7 MR. AVRUTINE: Normally the plan is site
8 specific, but the building inspector has certain
9 discretion. If it's substantially similar and it really
10 doesn't impact any part of the discretionary approval of
11 the Board, the building inspector would have discretion
12 to allow such a change in material.

13 MEMBER ABRAMS: I recognize the only person
14 that's going to see the wall is the homeowners
15 themselves. I don't have a preference one way or
16 another. I just want to make sure that whatever we do
17 here, if we approve this, that it doesn't all of a
18 sudden limit them or require them to have to come before
19 the Board again because they are changing the wall.

20 MR. AVRUTINE: Understood. Like I said, if
21 there is a change in the materials, then it would be up
22 to the building inspector as to even whether he wants
23 that change depicted on a revised plan. And if he does,
24 he will decide in his discretion if he thinks it's
25 significant enough to require the Board to take another

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1 look.

2 CHAIRMAN HADJANDREAS: Mr. Antonelli, is that
3 something that you look at in terms of the engineering,
4 what material they use, this retaining wall, or is that
5 only the building inspector?

6 MR. ANTONELLI: I look at the mass of the wall
7 and whether or not it has the ability to physically
8 retain what it's supposed to retain. I'm reviewing from
9 a structural standpoint the physical calculations, but
10 not the aesthetics.

11 MR. RANT: If the material changes before any
12 construction proceeds, we would submit a revised plan to
13 the building inspector and go through the appropriate
14 channels.

15 MEMBER JONES: Is there any impact on the west
16 side of the property, cutting this out?

17 MR. RANT: The west side --

18 MEMBER JONES: Runoff or anything like that?

19 MR. RANT: We're actually going to be
20 improving the drainage situation. Currently, there is
21 a -- the west side slopes towards the west. We're going
22 to be putting in, installing a drainage system that
23 would collect any of that water.

24 The construction itself at its closest point
25 is about 130 feet away from the property line, so it

1 really has no visual impact. And by implementing and
2 installing additional landscaping, would help be a
3 benefit to that neighbor as well.

4 MEMBER ABRAMS: But there's going to be a
5 paved parking area there now that's not there that
6 there's a few trees that are going to be taken out in
7 the corner.

8 MR. RANT: A 10-inch and 12-inch that are
9 going to be removed. And that area that's going to be
10 removed is going to be relandscaped again with the same
11 type of evergreen plant material. Really, there's not
12 much screening there currently, so they would be
13 installing --

14 MEMBER ABRAMS: It was bare, and those two
15 trees that are coming out were not aesthetic.

16 MR. RANT: A lot of the trees are smaller in
17 size. There is a wide range. But I think again, the
18 landscaping that's being proposed is going to be a big
19 improvement over some of those areas that are bare.

20 CHAIRMAN HADJANDREAS: The cut that you do and
21 all of the soil, is that all staying on site in terms of
22 that filling in where that parking deck is going?

23 MR. RANT: There'll be a small amount of fill
24 in that area. There will be excavation that needs to be
25 removed from the property.

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1 CHAIRMAN HADJANDREAS: Does the Board have any
2 other questions?

3 Mr. Antonelli, do you want to give your
4 opinion on this?

5 MR. ANTONELLI: First of all, I reviewed the
6 plan and I found that the plan in front of the Board
7 tonight, which was revised April 18, is acceptable from
8 an engineering standpoint.

9 First of all, I certainly agree that from the
10 traffic safety standpoint, the increased sight distance
11 is a good idea. And the site access, I think that was a
12 good point and I do agree with that too.

13 Grading and drainage meets engineering
14 standards. The comment was made about moving the dry
15 wells. I personally do not prefer to see the dry wells
16 in the parking area or in a paved area. What we have
17 happened is with water constantly being directed to and
18 through the dry well plus the live load of the vehicular
19 traffic on top, makes for an increase settlement. And
20 we find that people who do that without taking a number
21 of rather expensive precautions that don't necessarily
22 work 100 percent, but we find that they end up replacing
23 either the dry well or the pavement and it's a
24 maintenance issue. Having said that, I thought, you
25 know, the plan met our standards.

1 Regarding slope, there are two areas that are
2 regulated slope areas that would be disturbed. One
3 would be in between the two driveways where they are
4 going to regrade, that is a steep slope category which
5 is the 15 to 25 percent, and then the very steep slope
6 area to the east which is within the building side yard
7 setback that's needed to regrade the property down to
8 the driveway. So really, there's no pavement area
9 that's in a regulated slope area. It's the areas needed
10 to regrade in order to accommodate those and to
11 construct them. So from that standpoint, I thought it
12 really is unavoidable given the purpose of the project.

13 MR. AVRUTINE: Mr. Antonelli, can you also
14 provide your recommendation under the New York State
15 Environmental Quality Review Act?

16 MR. ANTONELLI: Yes. I believe that this is
17 an unlisted action under the State Environmental Quality
18 Review Act, in which case the Board or Village as lead
19 agency, if it is deemed so, would require the submission
20 of the SEQRA Short Form which is included in the
21 package, and I did review that.

22 As part of that review, I completed the Part
23 II of the Short Form on behalf of the Village, and I
24 have it with me.

25 MR. AVRUTINE: Are you recommending that the

1 Board enact a negative declaration based upon your
2 review?

3 MR. ANTONELLI: I did go through the SEQRA
4 Part II where it's basically an evaluation of the
5 potential impact on the environment. And in this case,
6 I found that it meets the New York State standards for
7 little or no impact in each case for each subject
8 matter. So I do recommend that it would be deemed a
9 negative declaration.

10 MR. AVRUTINE: Thank you, Mr. Antonelli.

11 CHAIRMAN HADJANDREAS: Does anybody in the
12 audience have any comment on this action?

13 MS. FITZGERALD: Kathleen Fitzgerald,
14 48 Timber Ridge.

15 I just found out about this last night and I
16 was concerned for the screening that's between our
17 homes, and drainage. But I came by here this afternoon
18 and reviewed all the plans. It looks very nice to me,
19 so I have no issues with this.

20 CHAIRMAN HADJANDREAS: You're the neighbor
21 just to the east of the property?

22 MS. FITZGERALD: Down the hill to the west.

23 CHAIRMAN HADJANDREAS: Yeah, because the site
24 work is really the other neighbor.

25 MS. FITZGERALD: More on the other side.

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1 CHAIRMAN HADJANDREAS: It looks like, in going
2 through the plans that they've submitted, they are going
3 to be adding a substantial amount of screening.

4 MS. FITZGERALD: And we're adding more as
5 well.

6 CHAIRMAN HADJANDREAS: Between your house and
7 the driveway?

8 MS. FITZGERALD: Yeah.

9 CHAIRMAN HADJANDREAS: I was just doing a
10 quick count, and the numbers are significant in terms of
11 the evergreens and deciduous trees that they're adding,
12 50 to 60.

13 MR. ANDRIOTIS: Because it's bare. I don't
14 mean to speak out. It's very bare over there, so I have
15 to do something anyway.

16 MS. FITZGERALD: It's bare and vines.

17 CHAIRMAN HADJANDREAS: Anybody else from the
18 public?

19 No.

20 MR. AVRUTINE: A motion to the close the
21 public hearing?

22 MEMBER ABRAMS: I'll make that motion.

23 MR. AVRUTINE: Member Abrams.

24 MEMBER JONES: I second that.

25 MR. AVRUTINE: Member Jones.

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All in favor?

CHAIRMAN HADJANDREAS: Aye.

MEMBER ABRAMS: Aye.

MEMBER DiBLASIO: Aye.

MEMBER JONES: Aye.

MEMBER GALTIERI: Aye.

MR. AVRUTINE: A motion for the Board to
declare itself lead agency under the New York State
Environmental Quality Review Act?

MEMBER GALTIERI: So moved.

MR. AVRUTINE: Member Galtieri.

May I have a second?

CHAIRMAN HADJANDREAS: Second.

MR. AVRUTINE: Chairman Hadjandreas.

All in favor?

CHAIRMAN HADJANDREAS: Aye.

MEMBER ABRAMS: Aye.

MEMBER DiBLASIO: Aye.

MEMBER JONES: Aye.

MEMBER GALTIERI: Aye.

MR. AVRUTINE: May I have a motion to declare
this matter unlisted under the New York State
Environmental Quality Review Act?

MEMBER ABRAMS: I'll make that motion.

MR. AVRUTINE: Member Abrams.

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1 A second? Member DiBlasio.

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: May I have a motion to declare
9 a negative declaration under the New York State
10 Environmental Quality Review Act indicating that the
11 application will not result in negative environmental
12 adverse impacts?

13 CHAIRMAN HADJANDREAS: I'll make the motion.

14 MR. AVRUTINE: Chairman Hadjandreas.

15 And a second by 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: And a motion on the
23 application?

24 CHAIRMAN HADJANDREAS: Motion to approve.

25 MR. AVRUTINE: By Chairman Hadjandreas.

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MEMBER GALTIERI: I'll second.

MR. AVRUTINE: And that's seconded by Member Galtieri.

That's in accordance with the submitted plans as well as the landscape plans.

CHAIRMAN HADJANDREAS: That will be submitted.

MR. AVRUTINE: All in favor?

CHAIRMAN HADJANDREAS: Aye.

MEMBER ABRAMS: Aye.

MEMBER DiBLASIO: Aye.

MEMBER JONES: Aye.

MEMBER GALTIERI: Aye.

MR. AVRUTINE: Application approved as submitted.

MR. RANT: Thank you very much.

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

RONALD H. KOENIG
Senior Court Reporter