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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
ELIZABETH BIBLA, Village Arborist

P5-2018/T17-2018 Public Hearing in
connection with the re-opened
application of Michael Ioannou,
27 Shady Lane, which seeks approval to
relocate the eastern portion of the
proposed driveway and remove two
additional trees.

MARY ANNE COPPINS
OFFICIAL COURT REPORTER

1 MR. AVRUTINE: Our first Public
2 Hearing is case P5-2018 and T17-2018,
3 the Public Hearing in connection with
4 the reopened application of Michael
5 Ioannou, 27 Shady Lane, Laurel Hollow,
6 which seeks approval to relocate the
7 eastern portion of the proposed driveway
8 from the location originally approved on
9 July 17, 2018 and to remove two
10 additional trees. This parcel of land
11 under application is known as Section
12 14, Block 26, Lot 8 on the Land and Tax
13 Map of Nassau County.

14 The exhibits in connection with
15 this hearing are as follows:

16 First, the Affidavit of Posting
17 from Elizabeth Kaye that the legal
18 notice was posted on the front bulletin
19 board in front of Village Hall on
20 January 9, 2018.

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

25 The next exhibit is a document that

1 confirms that the legal notice was
2 published to the Village website on
3 December 27, 2018.

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

8 The next exhibit is an Affidavit of
9 Mailing from the applicant indicating
10 that the Notice of Public Hearing was
11 mailed on January 9, 2019 to the
12 individuals set forth in the affidavit.

13 And the final exhibit is
14 notification from the Nassau County
15 Planning Commission dated October 22,
16 2019 -- 2018 that should be, that the
17 above matter is referred to the Village
18 of Laurel Hollow to take action as it
19 deems appropriate.

20 May we have a representative of the
21 applicant.

22 MR. RIELLY: Yes. I am Vincent M.
23 Rielly, 5 Godfrey Lane, Huntington, New
24 York 11743.

25 This is the mailing and these are

1 the most updated plans.

2 MR. AVRUTINE: Are these plans
3 already in the file?

4 MR. RIELLY: No. I just had to
5 redo these after meeting with Chris and
6 Ms. DiBlasio over at the property on,
7 what was that, Saturday morning.

8 MR. AVRUTINE: Okay.

9 MR. RIELLY: So these are all just
10 recently.

11 MR. AVRUTINE: For the record, Mr.
12 Rielly is submitting a revised plan
13 prepared by Nesfield Architect, P.C.,
14 and the latest revision date appears to
15 be January 18, 2019, along with a
16 two-page document.

17 MR. RIELLY: That is a revised
18 plant list.

19 MR. AVRUTINE: Let me --

20 This is a two-page document stating
21 plant list with a revision date of
22 January 22, 2019, and, also, an untitled
23 drawing, which I presume, maybe Mr.
24 Rielly, you can illuminate that.

25 MR. RIELLY: That's a revised

1 landscape --

2 MR. AVRUTINE: That's a revised
3 landscape plan.

4 MR. RIELLY: For the affected area.

5 MR. AVRUTINE: So I am going to
6 mark on the right on this landscape
7 plan. And what is the date that I can
8 use that would be accurate, Mr. Rielly?

9 MR. RIELLY: Today.

10 MR. AVRUTINE: Today's date, dated
11 January 22, 2019.

12 You may proceed.

13 MR. RIELLY: Okay, thank you.

14 Good evening, ladies and gentlemen.

15 Thank you for this chance to speak
16 in front of the Board this evening. We
17 are representing Mr. & Ms. Ioannou and
18 their project at 27 Shady Lane.

19 We wanted to change the -- they
20 wanted to change the driveway back to
21 what was originally proposed instead of
22 the one that is currently approved.
23 They had some feelings that the driveway
24 that was approved, which you can see in
25 orange right here, it really kind of

1 bottlenecked right in here and would
2 make for kind of a hard in and out of
3 the parking area, and in and out of this
4 side of the driveway. They feared there
5 would be more time maneuvering, more
6 time spent in reverse. They have small
7 children, they have friends all with
8 small children.

9 I have stats with me, obviously,
10 the less time spent in reverse is the
11 less time that some sort of an accident
12 can happen in that parking lot, God
13 forbid there is a child. So they wanted
14 to just open this up, both for safety
15 and for usefulness. We all have to
16 agree that less time in reverse is
17 definitely going to help in this regard.

18 So, it had been thought that they
19 wanted to go from this one to this one,
20 here in the yellow.

21 Now, on Saturday, Ms. DiBlasio and
22 Chairman Hadjandreas came out to the
23 property and we discussed the whole
24 issue. They had suggested that we
25 change it so that we can save tree

1 number -- this is tree number six right
2 here. It's a large white oak in very
3 nice condition, and it's really worthy
4 of saving. The driveway that had been
5 proposed would go right through it.

6 So, I just brought the driveway
7 over, changed the curvature in it and
8 got away from that tree so we can save
9 it.

10 This tree right here, the second
11 tree to be taken down it's a pear tree
12 that is dead. It was not really noticed
13 by myself or the arborist first go-round
14 because it was so covered in vines that
15 it looked like the leaves off of the
16 vines were actually part of the tree.
17 Now that it's winter, you can see the
18 vines are down, it's totally dead,
19 there's not life to it.

20 CHAIR HADJANDREAS: I'm sorry, what
21 tree is number six because these are not
22 numbered, the top?

23 MR. RIELLY: Number six is the
24 36-inch one; number five is the 14-inch
25 one.

1 CHAIR HADJANDREAS: And that's the
2 ones you are saying are dead.

3 MR. RIELLY: Yes. And number three
4 is the 48-inch one.

5 CHAIR HADJANDREAS: Okay.

6 MR. RIELLY: So, taking down a dead
7 tree there is really nothing to it,
8 we're going to preserve this tree. The
9 only other tree that we have to take
10 down right here is this 48-inch maple
11 tree. You guys saw it. It is in
12 horrible condition, it's totally covered
13 in vines. It is exhibiting a decline.
14 It has upper branch die-back on it.
15 Also, I examined the base of it and it's
16 got quite a bit of rot on the base and,
17 really, the tree should be removed
18 anyhow.

19 So, in doing this driveway -- also,
20 there is one six-inch tree somewhere
21 right in there that is below the need
22 for a permit, but it is there. I wanted
23 to mention that.

24 CHAIR HADJANDREAS: What's the
25 number of the last tree on the bottom

1 there?

2 MR. RIELLY: Number four.

3 CHAIR HADJANDREAS: No, below that
4 one.

5 MR. RIELLY: That is unmarked, that
6 was never numbered.

7 CHAIR HADJANDREAS: Okay.

8 MR. RIELLY: I don't know why, but
9 it never got numbered on the plan.

10 CHAIR HADJANDREAS: So the surveyor
11 missed that one.

12 MR. RIELLY: We brought it up at
13 the last meeting, and whatnot. It's the
14 large double white pine right by the
15 street, the one with the branches kind
16 of coming out of it.

17 So, as I said, we are preserving
18 the only good tree in the area by
19 rerouting it with this compromise
20 driveway and getting rid of a dead tree
21 and getting rid of a tree that is in
22 very poor shape.

23 Additionally, if we'd gone with the
24 driveway that is now approved, it would
25 have been very close to this tree right

1 here. That is a nice oak tree right
2 there, a 14-inch oak tree, or a 10-inch
3 oak tree, actually. That will be
4 totally saved. We are about 15 feet
5 away from it. Also, the large white
6 pine by the road would have to come down
7 with this approved driveway, now that
8 the large white pine will be allowed to
9 stay.

10 CHAIR HADJANDREAS: Can you clarify
11 what color was approved at the last
12 hearing?

13 MR. RIELLY: The approved is
14 orange.

15 CHAIR HADJANDREAS: Orange is
16 approved.

17 MR. RIELLY: The original request
18 is yellow.

19 CHAIR HADJANDREAS: The original
20 request that we approved is orange.

21 MR. RIELLY: Yes.

22 CHAIR HADJANDREAS: Then the first
23 -- let's call it whatever, the first for
24 this hearing, your first attempt was
25 what?

1 MR. RIELLY: The yellow.

2 CHAIR HADJANDREAS: Okay. Orange,
3 yellow then red?

4 MR. RIELLY: The red is a
5 compromise than the one that we want to.

6 CHAIR HADJANDREAS: Red is what you
7 are seeking?

8 MR. RIELLY: Yes. So beyond the
9 trees, I mean, we get into a point of
10 aesthetics on the whole thing.
11 Obviously, it's a person-to-person
12 thing. But as far as a design person
13 myself, I really think it's nicer
14 because it really kind of centers the
15 house better than coming across it like
16 that. Also, it just has a better feel
17 of the shape, like coming around on both
18 sides like this. I really think it's a
19 nicer look.

20 In addition to saving those trees
21 that we talked about, we had talked,
22 Chris asked me, we were going to have to
23 replace a couple of deciduous trees for
24 all the ones that we knocked down.

25 We propose to put in two large

1 three-and-a-half-inch oak trees in here
2 to kind of give back for the trees that
3 are now missing in there.

4 CHAIR HADJANDREAS: That's in
5 addition to the original plant list that
6 you submitted at the last hearing.

7 MR. RIELLY: That's correct.

8 CHAIR HADJANDREAS: The three?

9 MR. RIELLY: It's on your revised
10 one.

11 CHAIR HADJANDREAS: They were just
12 added in here, it doesn't say what was
13 the original.

14 MR. RIELLY: No, it doesn't
15 differentiate between that. I know
16 exactly what it is.

17 CHAIR HADJANDREAS: What are you
18 saying to add now, which type of tree?

19 MR. RIELLY: There are going to be
20 three three-and-a-half-inch pin oak
21 trees. Since we took out a lot of the
22 oak trees, it's just a giveback. A
23 three-and-a-half inch tree is something
24 that is a reasonable tree to plant.

25 CHAIR HADJANDREAS: So, number 28,

1 you have two of them on here.

2 MR. RIELLY: That's correct.

3 CHAIR HADJANDREAS: So this is the
4 new, we will call it.

5 One other question. At the bottom
6 of the driveway to the right on the
7 corner of the property there is a big
8 white pine there that. It is not listed
9 on this survey.

10 MR. RIELLY: Correct.

11 CHAIR HADJANDREAS: That is another
12 tree that -- like the surveyor missed or
13 made a mistake?

14 MR. RIELLY: That's the one we were
15 talking about prior. That is the big
16 white pine tree that is right here.
17 That one was never -- by the tree.

18 CHAIR HADJANDREAS: But isn't there
19 one to the right, if you move your head
20 to the right, the big white pine?

21 MR. RIELLY: This is the one you're
22 talking about. The property goes way
23 over to the side.

24 CHAIR HADJANDREAS: Okay, my
25 mistake. That tree is existing and it

1 is there, okay.

2 MR. RIELLY: It is there, it
3 exists, and it will be kept with this
4 version, with the compromised driveway,
5 whereas the approved driveway, it
6 probably would have to have been taken
7 out, and it's a very large nice tree.

8 MEMBER JONES: We are going for the
9 pink?

10 MR. RIELLY: Yes.

11 MEMBER JONES: So, it was orange.
12 And what was yellow?

13 MR. RIELLY: Yellow was the
14 original one that they had asked to get
15 restored to. After meeting on Saturday,
16 I was asked to bring it over and
17 compromise. So the yellow is out of the
18 question, this is the approved one, this
19 is the compromised one.

20 MR. AVRUTINE: Please specify what
21 you mean by the color so it's clear for
22 the record.

23 MR. RIELLY: The yellow outline on
24 the driveway is no longer in contention.
25 The orange on the plan is the approved

1 driveway at this time. The pink
2 driveway is the one that we have a
3 compromise for and the one that we want
4 to go forward on.

5 MR. AVRUTINE: Thank you.

6 MR. RIELLY: In addition to the two
7 pin oaks we're going to put in there, we
8 are going to thicken up right along here
9 with some more plantings. Actually, we
10 should kind of turn to the landscape
11 plan, give you an update on the
12 landscape plantings.

13 The two pin oaks are the ones with
14 the dotted line around which represents
15 the crown on the tree.

16 CHAIR HADJANDREAS: You didn't put
17 the number there. We are just -- those
18 are numbered 28, okay.

19 MR. RIELLY: And then I thickened
20 up all through here to get a better
21 block between the property. I added an
22 additional five evergreen shrubs,
23 three-to-four-feet tall I believe they
24 are. And when the driveway was moved
25 over, then I have to add this section of

1 the front bed. Also, on this side,
2 unfortunately, there was -- in the
3 original plan, there was a large
4 rhododendron that was supposed to stay
5 here. It got destroyed with the builder
6 somehow, so I had bring in plants to
7 cover that. So there is a full cover
8 all the way across separating the road
9 from the front lawn.

10 CHAIR HADJANDREAS: Bumper.

11 MR. RIELLY: Um-hum.

12 It involved bringing in an
13 additional four 8 to 10 norwood spruces,
14 three 8 to 10 cryptomeria.

15 CHAIR HADJANDREAS: But all that
16 was approved already is what you're
17 mentioning right now.

18 MR. RIELLY: This was approved, but
19 because the driveway is moving over.

20 CHAIR HADJANDREAS: This is in
21 addition now, okay.

22 MR. RIELLY: I just had to thicken
23 up this bed. And on this side, I'm
24 saying that Rhodi is no longer there so
25 I have to replace that with plants.

1 CHAIR HADJANDREAS: So with what
2 you are adding from what was originally
3 approved, you're adding, besides the
4 rhododendron, the shrubs, you're adding
5 additional trees, correct?

6 MR. RIELLY: Yes.

7 CHAIR HADJANDREAS: Number two
8 would be?

9 MR. RIELLY: Number two would be
10 the norway spruce.

11 CHAIR HADJANDREAS: How many trees
12 are being added besides the pin oak?
13 You're adding two pin oaks?

14 MR. RIELLY: Two pin oaks.

15 CHAIR HADJANDREAS: And then?

16 MR. RIELLY: Four norway spruce,
17 three cryptomeria. And these, there
18 were two. These are pink dogwoods that
19 were in the original plan. So those are
20 the additions.

21 Then there is an additional, like I
22 don't know, 12 additional, 14 additional
23 smaller plants that are in here spirea,
24 hydrangea.

25 MEMBER DiBLASIO: The pin oaks are

1 going right here.

2 CHAIR HADJANDREAS: Right here,
3 Mrs. DiBlasio. He doesn't have them
4 numbered. See the one that has the
5 dashes, the circle with the dashes?
6 That's one of them. And then up top,
7 right up there.

8 MEMBER DiBLASIO: Okay.

9 MR. RIELLY: And that's pretty
10 much --

11 MEMBER JONES: Are those plants you
12 just mentioned, are they in this list?

13 MR. RIELLY: Yes. That's the
14 revised list. You can compare it to the
15 other list, but if you want to know what
16 was added just today, it was plus four,
17 the norway spruces, plus three in the
18 cryptomeria, plus six on the spirea,
19 number 18, plus two on the hydrangea.

20 CHAIR HADJANDREAS: Number 18, how
21 many additional?

22 MR. RIELLY: Six, okay, plus two on
23 number 19.

24 CHAIR HADJANDREAS: Okay.

25 MR. RIELLY: Above that, 36 up

1 here, those are new plants, three
2 ilexes.

3 CHAIR HADJANDREAS: I don't see it
4 on here.

5 MR. RIELLY: They are in the beds
6 right here, Chris, did you not get --

7 CHAIR HADJANDREAS: That is not --
8 underneath 35 -- it is not in here.

9 MR. RIELLY: I'm going to have to
10 redo it. It's just another three
11 plants.

12 CHAIR HADJANDREAS: It will be 36
13 I-L-E-X?

14 MR. RIELLY: Yes.

15 CHAIR HADJANDREAS: And what are
16 they, shrubs?

17 MR. RIELLY: Yes.

18 CHAIR HADJANDREAS: How many are
19 you adding?

20 MR. RIELLY: Three. Then there is
21 an additional 10 hosta plants, also.

22 CHAIR HADJANDREAS: But these
23 ilexes are represented in what you
24 submitted, correct?

25 MR. RIELLY: The ilex is one, two

1 and three.

2 CHAIR HADJANDREAS: All right.

3 MR. RIELLY: If it's approved, then
4 I'll bring this back and transfer this
5 onto my plan, my drawing. Then I'll
6 submit the whole thing as a final
7 landscape plan.

8 CHAIR HADJANDREAS: Do you have
9 anybody else that wants to present about
10 this?

11 MR. RIELLY: I don't believe so.

12 CHAIR HADJANDREAS: Okay, anyone
13 from the audience?

14 MR. AVRUTINE: Please stand up and
15 say your name and address.

16 MRS. IOANNOU: Sorry, Denise
17 Ioannou, currently at 35 Springwood Path
18 but planning to move to 27 Shady.

19 Just, basically, I think it's a lot
20 more functional with three small
21 children. The ease of in and out, all
22 the sports all day long. I think it
23 makes so much more sense, that's it.

24 CHAIR HADJANDREAS: Is there
25 anybody from the public that has a

1 comment about this application?

2 (No response.)

3 Okay, Mrs. DiBlasio, do you have
4 any comments?

5 MEMBER DiBLASIO: No.

6 CHAIR HADJANDREAS: Mrs. Jones?

7 MEMBER JONES: There were a couple
8 of protected trees that were on this
9 plan, but they didn't seem to be there
10 now.

11 MR. RIELLY: Well, these are
12 protected. That one is going to remain.

13 MEMBER JONES: It is not there,
14 though.

15 MR. RIELLY: What do you mean it's
16 not there.

17 MEMBER JONES: I don't believe it's
18 on the property.

19 MR. RIELLY: It's on the property,
20 I'm positive of that.

21 MEMBER JONES: And this one?

22 MR. RIELLY: I'm not positive.

23 I didn't walk through and look at every
24 tree on the property. I really can't
25 answer about that one.

1 CHAIR HADJANDREAS: Which one is
2 that?

3 MR. RIELLY: Number 20.

4 CHAIR HADJANDREAS: 20 is a tree.

5 MR. RIELLY: 20 is a tree.

6 CHAIR HADJANDREAS: Do we know
7 about what number that was?

8 MEMBER JONES: It was not numbered
9 because it was protected.

10 CHAIR HADJANDREAS: And do we know
11 in the last go-around was that approved
12 to be --

13 MR. RIELLY: I don't have that
14 plan.

15 CHAIR HADJANDREAS: She is saying
16 it's on the map and it is there. Here
17 we go. It's cut off here, but that's
18 the one that's the multiple stem white
19 pine, there is no number, it's cut off.
20 But, okay. There is no number on this
21 one either.

22 So on this survey, I know there
23 were some issues with the tree survey,
24 the tree surveyor. Now, on this survey
25 every tree is numbered in the front of

1 the house except this one.

2 So, is it possible that that was
3 like -- honestly, I don't remember, this
4 was two months ago. I remember during
5 the hearing that there were issues in
6 that there were some trees that were on
7 the survey that --

8 MR. RIELLY: There were some that
9 were on the survey that were not on the
10 property, and actually they're in this
11 box right in front with the three trees
12 in it, right in front of the house.
13 Those three were not on the survey. We
14 added those in.

15 CHAIR HADJANDREAS: You added trees
16 and there were some issues with the
17 surveyor and the actual.

18 So, is it possible that this one
19 tree that we're talking about, just
20 because I remember that there were
21 issues and the trees that were there are
22 numbered, every tree that was on the
23 property was numbered and they are all
24 numbered, and this is one tree that
25 doesn't have a number on it, and this is

1 from the last survey.

2 MR. RIELLY: I feel it would have
3 had a number if it were there, I
4 definitely went to every tree.

5 CHAIR HADJANDREAS: Every other
6 tree is numbered except for that one.
7 But it's definitely not there now. But
8 I am thinking because it wasn't
9 numbered, maybe it --

10 MR. RIELLY: Probably didn't exist.

11 MEMBER JONES: None of the other
12 trees on the other side to the left are
13 numbered either, and they are protected.

14 MR. RIELLY: Those are definitely
15 all there.

16 CHAIR HADJANDREAS: To the original
17 driveway, okay.

18 MEMBER JONES: Those were not
19 numbered. I thought the trees that were
20 numbered were the trees in consideration
21 of trees being cut down.

22 CHAIR HADJANDREAS: On this survey,
23 it shows the ones that are all X'd off
24 and numbered to be cut down, okay.

25 MR. RIELLY: I don't have an answer

1 on that tree. As you said, I don't
2 believe it's there.

3 MEMBER JONES: That it is not.

4 CHAIR HADJANDREAS: So, again, the
5 red or pink lines have the least impact
6 in terms of the trees.

7 Do you have any pictures of tree
8 number three, the one that you want to
9 cut down? Is there a -- I know I have
10 seen it.

11 MEMBER JONES: There is no tree
12 number three on this.

13 CHAIR HADJANDREAS: I wrote it in.
14 None of these trees are numbered on this
15 one.

16 MR. RIELLY: I think it's number
17 four you're talking about.

18 CHAIR HADJANDREAS: The tree that
19 you want to remove in this application
20 is the one that has all the vines on it
21 and it's the one you're talking about.

22 MR. RIELLY: Um-hum.

23 CHAIR HADJANDREAS: That's this
24 tree, I'm pointing right here.

25 MR. RIELLY: Yes.

1 CHAIR HADJANDREAS: What number is
2 that tree?

3 MR. RIELLY: That should be tree
4 number four, this should be four, five,
5 six.

6 CHAIR HADJANDREAS: Okay, I've got
7 you.

8 I cut you off before, but there was
9 one other tree that -- because you're
10 seeking to cut down two trees.

11 MR. RIELLY: Yes.

12 CHAIR HADJANDREAS: Is it the one
13 that you're talking about, the top of
14 the parking area by the garage? There
15 is no number on it.

16 MR. RIELLY: Actually, we never --
17 we didn't get to discuss it. That was
18 the tree that's going to be, it's right
19 here it's a broken norway spruce. And
20 because of the height here, it's going
21 to get totally graded right over. So
22 it's basically a tree that is going to
23 die.

24 CHAIR HADJANDREAS: Can I see what
25 number on that map you showed me before

1 so I can figure out what number that
2 was, then label this map so we can be
3 clear, because the driveway is not on
4 here. Help me figure this out.

5 MR. RIELLY: Actually, it has an X
6 on it, I believe.

7 CHAIR HADJANDREAS: There is one
8 right here, it's a tree. I can't read
9 that. Is that 15? Here's the
10 staircase.

11 MR. RIELLY: Okay, yeah. That
12 would be the tree, and it's definitely
13 going to have all the roots covered in,
14 several feet of fill, when they put the
15 parking area out there. Both of you saw
16 it the other day, it's really a --

17 CHAIR HADJANDREAS: The top of it
18 was --

19 MR. RIELLY: The top was snapped
20 off, there's broken branches all the way
21 down on the sides.

22 CHAIR HADJANDREAS: In this whole
23 area, that was one tree and there is
24 another norway that is pre-existing that
25 is behind it. We are going to call that

1 tree number 15.

2 So, basically in your --

3 MEMBER JONES: I thought those were
4 along the side of it.

5 MR. RIELLY: No, there is one right
6 there.

7 CHAIR HADJANDREAS: It's right on
8 the edge of the driveway. Where they
9 marked out the driveway, this tree is
10 right in this corner, right here. And
11 on this map it shows it's tree 15.

12 So, basically, for clarity, besides
13 really tweaking the driveway, which we
14 do not really have any say in except if
15 it's running into a tree, you're just
16 proposing to cut down what we're calling
17 tree number four.

18 MR. RIELLY: Yes.

19 CHAIR HADJANDREAS: And tree number
20 15, that is in the back right corner of
21 the parking area behind the garage or in
22 the garage area?

23 MR. RIELLY: Yes.

24 CHAIR HADJANDREAS: Parking area.

25 MR. RIELLY: Along with one dead

1 tree and one tree that is under six
2 inches.

3 CHAIR HADJANDREAS: Now, the dead
4 tree, I already confirmed it's dead and
5 that we don't -- that it is not a matter
6 that we have to approve.

7 MEMBER JONES: Is that one of the
8 numbers here?

9 MR. RIELLY: Yes, it is, it's
10 number five.

11 As I said, when myself and the
12 arborist saw it in the middle of the
13 summer it was covered with vines and
14 looked like it had leaves on it. Once
15 the leaves and vines are down, you can
16 see it's a dead tree.

17 MEMBER JONES: Can the arborist go
18 back out?

19 CHAIR HADJANDREAS: I'm sorry, I
20 didn't hear what you said.

21 MR. AVRUTINE: To verify the status
22 of the tree.

23 CHAIR HADJANDREAS: Do you have any
24 other questions?

25 MEMBER JONES: Take down four,

1 five --

2 MEMBER DiBLASIO: And 15.

3 CHAIR HADJANDREAS: And 15.

4 MEMBER JONES: That big white pine
5 is staying?

6 CHAIR HADJANDREAS: Yes.

7 MR. RIELLY: Yes. And on the
8 approved driveway it would have to go,
9 it's only one foot off of the driveway.
10 So we're saving that tree and we are
11 saving this tree here, which is 14-inch
12 or, yes, 14, it's there. I know that
13 one, I have seen them. I just saw it
14 the other day. It's kind of a two for
15 two.

16 CHAIR HADJANDREAS: And to clarify,
17 one of those was approved to be removed
18 with the last go-around, correct?

19 MR. RIELLY: No.

20 CHAIR HADJANDREAS: None of them
21 were, okay, my mistake.

22 But with that, you're planting an
23 additional four norway spruces, two
24 pines, three cryptomerias and all the
25 other shrubs.

1 MR. RIELLY: The two pin oaks, too.

2 CHAIR HADJANDREAS: Which is okay.
3 How many total with this lineup?

4 MR. RIELLY: It's a massive amount.

5 CHAIR HADJANDREAS: That's all I
6 want to say for the record because the
7 Village got a lot of calls when this lot
8 was cleared.

9 How many deciduous trees in total
10 are going to be -- are the homeowners
11 committing to be planting?

12 MR. RIELLY: We are talking about,
13 including the pink dogwoods, there is
14 some weeping cherries and stuff which
15 will be -- they have caliper to them,
16 they're not very tall.

17 CHAIR HADJANDREAS: Let's talk
18 about trees that are going to get over
19 20, 30 feet.

20 MR. RIELLY: You're really talking
21 about the two pin oaks. Those are the
22 only deciduous.

23 CHAIR HADJANDREAS: Besides that,
24 all the evergreens, the arborvitae, the
25 spruces and cryptomeria, I'm not

1 familiar with them.

2 MR. RIELLY: Another evergreen.

3 CHAIR HADJANDREAS: So, 59, 65,
4 baby blue spruce, I don't know.

5 MR. RIELLY: I think they get
6 taller.

7 CHAIR HADJANDREAS: So, basically,
8 65 trees, the deciduous ones you're
9 adding.

10 MR. RIELLY: A tremendous amount of
11 trees.

12 CHAIR HADJANDREAS: Mrs. DiBlasio,
13 do you have anything?

14 MEMBER DiBLASIO: No.

15 MEMBER JONES: What about questions
16 to make sure that those plantings get
17 done.

18 CHAIR HADJANDREAS: Well, the
19 homeowner will not receive -- because
20 they're building a new house, we have
21 protections in place now, that in order
22 for them to get their C of O, it has to
23 be certified by the landscape designer
24 on record, which is Mr. Rielly, that
25 every tree that they committed to and

1 every -- this landscape plan is in place
2 and healthy, planted and healthy. So,
3 the only way to get the C of O is to do
4 that. If they don't do that, then
5 there's penalties and fines because
6 their permit will lapse. So, there are
7 protections in place to insure that this
8 gets done.

9 This is recent, the Board of
10 Trustees recently -- was that law or?

11 MR. AVRUTINE: A resolution.

12 CHAIR HADJANDREAS: A resolution
13 that passed recently to insure that any
14 decision we make gets enforced.

15 Do you want, in regards to the tree
16 that they're saying is dead, do you want
17 to get some -- before they cut it down,
18 do we want to get some kind of clarity
19 on that, besides Mr. Rielly's opinion.
20 I'm sure Mrs. Bibla knows.

21 Can you approach?

22 MR. AVRUTINE: Name and address for
23 the record.

24 MS. BIBLA: Elizabeth Bibla,
25 B-I-B-L-A, Arborist for the Village.

1 I would be happy to take a second
2 look at that if that would satisfy the
3 Board.

4 MR. AVRUTINE: Thank you.

5 CHAIR HADJANDREAS: So, I'm going
6 to put forth a motion to approve and the
7 only --

8 MR. AVRUTINE: You have to close
9 the Public Hearing, make a motion to
10 close the Public Hearing.

11 CHAIR HADJANDREAS: Motion to close
12 the Public Hearing.

13 MR. AVRUTINE: By Chair
14 Hadjandreas.

15 May I have a second?

16 MEMBER DiBLASIO: Second.

17 MR. AVRUTINE: Second by Member
18 DiBlasio.

19 All in favor?

20 CHAIR HADJANDREAS: Aye.

21 MEMBER DiBLASIO: Aye.

22 MEMBER JONES: Aye.

23 MR. AVRUTINE: Okay, let the record
24 reflect that this matter is deemed a
25 Type II under the New York State

1 Environmental Quality Review Act.

2 Now you can entertain a motion on
3 the application.

4 CHAIR HADJANDREAS: I put forth a
5 motion to approve the pink outline of
6 the proposed driveway that is on the map
7 that is --

8 MR. AVRUTINE: A motion to approve
9 the driveway as proposed in the plan and
10 delineated in pink on the plan; is that
11 correct?

12 MR. RIELLY: Yes.

13 CHAIR HADJANDREAS: Yes. And to
14 approve the removal of tree number four
15 and tree number 15, and tree number
16 five, subject to the arborist's
17 verification that the tree is deceased.

18 MEMBER JONES: And six, what is
19 going on with six?

20 CHAIR HADJANDREAS: Six is staying.

21 MR. RIELLY: Yes. That's the
22 really big white oak tree that we really
23 want to keep.

24 CHAIR HADJANDREAS: We are going to
25 protect?

1 MR. RIELLY: Yes.

2 CHAIR HADJANDREAS: And we are
3 going to protect with how you protected
4 the other homeowner, you have to protect
5 that tree with a fence.

6 MR. RIELLY: I already told Mike,
7 the builder, so it could be done
8 already, I'm not sure.

9 MR. AVRUTINE: Number five is the
10 one that is supposed to be dead.

11 MR. RIELLY: Yes.

12 CHAIR HADJANDREAS: Yes, number
13 five.

14 MR. AVRUTINE: Okay, just to
15 clarify, it's a motion to approve as
16 proposed with the driveway being
17 relocated to the pink outline as
18 depicted on the plan submitted this
19 evening. There will be removal of tree
20 number four delineated on that plan, as
21 well as tree number 15, and number five,
22 subject to verification by the Village
23 Arborist, Elizabeth Bibla, that tree
24 number five is dead.

25 That's the motion.

1 MEMBER JONES: That the plantings
2 be done, based on 1/22.

3 MR. AVRUTINE: Right. And adding
4 to that motion then, Mr. Chairman, that
5 all planting will be done in --

6 CHAIR HADJANDREAS: Based on the
7 latest --

8 MR. AVRUTINE: -- planting plan
9 which was last revised January 22, 2019.

10 CHAIR HADJANDREAS: This has to be
11 updated with the ilxes that are
12 missing.

13 MR. RIELLY: I will update it.

14 I will draw it all on the original
15 plan so you get it on this, that this is
16 the affected area, this is the whole
17 property.

18 MR. AVRUTINE: Let's clarify for
19 the record.

20 Is the plan prepared by Nesfield
21 Architect, P.C. going to be modified to
22 include all of the trees that are being
23 removed and the trees that are being
24 installed; is that correct?

25 MR. RIELLY: Not on Nesfield, on

1 mine.

2 MR. AVRUTINE: Okay, so you're
3 going to submit a plan that depicts the
4 entire property?

5 MR. RIELLY: Yes, the changes that
6 have been made this evening. And I'll
7 label it as the final landscape plan as
8 per the Board meeting of 1/22.

9 CHAIR HADJANDREAS: The architect
10 plan should be amended to only show the
11 approved.

12 MR. AVRUTINE: Well, I believe the
13 permit is going to have to show the
14 location of the driveway in accordance
15 with the approved plan here before this
16 Board.

17 Motion?

18 CHAIR HADJANDREAS: I make a
19 motion.

20 MR. AVRUTINE: Motion by Chairman
21 Hadjandreas.

22 Second on the motion?

23 MEMBER DiBLASIO: Second.

24 MR. AVRUTINE: Second by Member
25 DiBlasio.

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All in favor?

MEMBER DiBLASIO: Aye.

MEMBER JONES: Aye.

CHAIR HADJANDREAS: Aye.

MR. AVRUTINE: Motion passes.

* * * * *

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