1 2	INCORPORATED VILLAGE OF LAUREL HOLLOW PLANNING BOARD PUBLIC HEARING October 7, 2019			
3	7:00 p.m.			
4	VILLAGE HALL 1492 Laurel Hollow Road			
5	Syosset, New York 11791-9603			
7	PRESENT: CHRIS HADJANDREAS, Chairman			
8	ELIZABETH DiBLASIO, Member			
9	NANCY JONES, Member			
10	JAMES GALTIERI, Member			
11				
12	ALSO PRESENT:			
13	HOWARD AVRUTINE, Village Attorney			
14	JAMES ANTONELLI, Village Engineer			
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19	P5-2018/T31-2019 - Atlantic Shores Partners, LLC 147 Laurel Lane			
20	Removal of 10 Trees and Slope Disturbance			
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24	RONALD KOENIG OFFICIAL COURT REPORTER			
25	OFFICIAL COURT REPORTER			

MR. AVRUTINE: This is the public hearing in
connection with Application P5-2018 and T31-2019, the
public hearing on the application of Atlanta Shores
Partners, LLC, owners of the property located at
147 Laurel Lane for approval to remove ten trees and
approval to disturb a steep slope in connection with
five of the trees proposed to be removed as well as for
a walkway in the rear yard. This is all in connection
with the building permit for drainage and grading, and
in addition to a driveway in the front yard as well as a
proposed walkway in the rear yard.

The property under application is known as Section 14, Block 14, Lot 4, on the Nassau County Land and Tax Map.

The first exhibit in connection with this hearing is the Affidavit of Posting from Elizabeth Kaye that the Legal Notice was posted on the front bulletin board at Village Hall on September 20, 2019.

The next exhibit is an Affidavit of Publication that the Legal Notice was published in the North Shore Leader on September 25, 2019.

The next exhibit is a document that confirms that the Legal Notice was published on the Village website on September 19, 2019.

The next exhibit is a document that confirms

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that the Legal Notice was sent to Village website NEWS subscribers on October 2, 2019.

And the next exhibit is an Affidavit of
Mailing from the applicant indicating that the Notice of
Public Hearing was mailed on September 26, 2019 to the
individuals set forth in the affidavit.

And the final exhibit is notification from the Nassau County Planning Commission which unfortunately has not been received, but we are permitted to proceed because there is no response to the Village's request within 30 days.

And that completes the exhibits.

Is there a representative on behalf of the applicant?

MR. RANT: Good evening, Mr. Chairman and Members of the Board. My name is Michael Rant from the firm of Northcoast Civil, formerly Bladykas and Panetta. I'm here this evening representing the owners of 147 Laurel Lane, and we're seeking approval to remove ten trees as well as slope disturbance in connection with some site work for a home that is currently under renovation.

So the project before you, and I know some of the Board members were able to visit the site and I did have a chance to meet with the chairman on Saturday and

kind of walk the site, look at the different trees, and
there was some concerns about certain trees that had
better quality than others. So at this point, I'm sorry
for the last minute submission, but I would like to
submit a revised site plan and a revised landscape plan
that hopefully addresses some of the Board's concerns.
So, this is a revised site plan and landscape plan dated
October 7, 2019.

MR. AVRUTINE: Mr. Rant, will these changes impact the slope portion of the application at all?

MR. RANT: No. We're still disturbing the same slope, still removing ten trees.

MR. AVRUTINE: I just wanted to make sure in terms of Mr. Antonelli's evaluation that somehow the revised plan would or would not impact that. So, you are indicating on the record that as far as the slope application is concerned, that there's no modifications that would impact that; is that correct?

MR. RANT: Yes. And I'll run through those changes.

MR. AVRUTINE: Thank you.

MR. RANT: Essentially, there was -- the previous plan before you had ten trees for removal. And based on our site visit, there was a large tree directly in front of the house, a 36-inch tree, that we are now

keeping, saving that tree. In the back, we showed a row of four trees. Three of those four trees we are saving. So, they are of better quality. They had some vines on them. But by taking a second look, the owner agreed they could remove some of the vines and clean them up and they could be a benefit to the property. There was one tree right behind the house, a 24-inch tree, which was for removal and we're still showing removal based on the condition of the tree.

And then in looking at the rear of the property, really it's a wooded site, there is a pool. So, the owner would like to create some sun in that area. So we found, identified, four additional trees that were of lesser quality: There is a 20-inch tree that is close to the house, half of the top of the tree was broken off, we're showing that for removal; there were two trees directly adjacent to the pool which had a lot of decay and dead branches, we're showing those for removal; and a large 18-inch tree that has a large lean towards the rear of the property.

So, we feel that we've achieved kind of opening up this space by having a better selection of trees that are currently in decay or decline, and improvement to remove those trees. Again, in keeping the same trees, I think we selected a better range of

trees based on the quality, size and the species.

revised landscape plan.

removed is what now?

MEMBER GALTIERI: So the total amount of trees

The second part of this resubmission is a

MR. RANT: Ten.

Also, part of that package is a revised landscape plan. In the field there's a, if you're looking at the house, the left side, there was a large area that was open to the neighbors. So, they removed some vines and underbrush and we proposed some additional screening. There is a mix of American Holly and Green Giant Arborvitae that would run along that entire property line to help screen neighbor. We also introduced a few ornamental trees, some Kousa Dogwood and Redbuds, in that general area to help screen the neighbor.

Along the driveway on the right side, it's kind of deceiving in the field, but the driveway is actually a substantial distance from the property, so in order to help screen the neighbor, we introduced the same landscaping. So, a mixture of American Holly and Green Giant Arborvitae that would run along that property line where it's currently open as well as some additional hardwood replacement. So, we have three Pin

Oaks that are proposed in that area and two Sunset

Maples. So, some additional hardwood to help develop a

canopy and some larger trees.

The overall goal of this application, for the Board members that visited the site the entire property slopes directly to the front door and creates a drainage issue, so we want to excavate some soil to get positive pitch away from the foundation, install drainage, and clean up the backyard to make it a little more of a useable space.

If the Board has any questions regarding the revisions, I would be happy to answer them.

CHAIRMAN HADJANDREAS: Mr. Rant, I have a question in regards to the dry wells. Since we are keeping, it's hard to see on this survey, but there's the large tree that's off, if you're looking at the house, the left corner of the house, since we're keeping that tree, does the location of the proposed dry wells, you know, impact that tree at all? Because it's being kept, we want to make sure that it's not being hindered or damaged.

MR. RANT: Sure. The closest dry well is about 25 feet away from the base of the tree. So, we are, instead of having the dry well directly next to the tree, we're having a catch basin and then we're piping

1	it to the dry well to keep that site work away.
2	CHAIRMAN HADJANDREAS: How close to that tree
3	is the excavation going to get in terms of the grading?
4	MR. RANT: The grade adjacent to the tree is
5	going to remain the same. There is maybe at a distance
6	of 10 feet away, 15 feet, there may be about a 6-inch
7	change in grade.
8	CHAIRMAN HADJANDREAS: And then as it goes
9	further away, it's more of a grade change as you go
10	towards the driveway?
11	MR. RANT: Exactly. As you go further north
12	and further west, there is more of a grade change away
13	from the tree.
14	CHAIRMAN HADJANDREAS: How many dry wells are
15	going in the front yard, just two?
16	MR. RANT: Two dry wells.
17	CHAIRMAN HADJANDREAS: That's just for
18	drainage?
19	MR. RANT: Just for drainage.
20	CHAIRMAN HADJANDREAS: And there's none there
21	now?
22	MR. RANT: No. Everything pitches to the
23	house and then also heads further east to the neighbor's
24	property, so we'll be collecting the runoff before it
25	makes it to the neighbor's property.

1	CHAIRMAN HADJANDREAS: Has that been an issue,
2	the runoff to the neighbor's yard?
3	MR. RANT: It was heavily vegetated before, so
4	I'm sure a lot of the vegetation absorbed it. In
5	clearing out that vegetation and exposing the earth, I'm
6	sure it leaves more of a potential for a runoff issue.
7	I think by implementing this plan is going to
8	drastically improve the site.
9	CHAIRMAN HADJANDREAS: Any questions from the
10	Board?
11	One more question from me. On the driveway,
12	are there any dry wells specific is that what I'm
13	seeing over here on the
14	MR. RANT: Yes. We've added a catch basin.
15	So, our drainage calculations account for the entire
16	driveway as well as all of our disturbed areas.
17	CHAIRMAN HADJANDREAS: In terms of the plan
18	that you're submitting, it is a little, you know, hard
19	to kind of make out what's what.
20	MR. RANT: Understood.
21	CHAIRMAN HADJANDREAS: I guess, you know, in
22	terms of numbers as we move forward, we are going to
23	need like a little clearer numbers of what's going in

and the locations. So, we'll call this -- this is the

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north side or --

1	MR. RANT: That's the west side.
2	CHAIRMAN HADJANDREAS: The west side. So in
3	terms of the west side, it's this many; break down on
4	the east side, it's this; and there's nothing going in
5	the rear, so
6	MR. RANT: Sure.
7	We can give you a cleaned up copy of a
8	landscape plan with a table list of plant sizes, species
9	and location.
10	MR. AVRUTINE: Please make sure that has a
11	revision date on it.
12	And I also want to clarify, because this plan
13	you just handed up says September 2019 on it, I don't
14	know
15	MR. RANT: That should have a revised date.
16	MR. AVRUTINE: I don't see a revision on it.
17	And obviously for purposes of ultimately determining
18	which is the actual plan since that has to be followed,
19	we need to be able to identify it.
20	MR. RANT: Understood.
21	MR. AVRUTINE: Please make sure that I see
22	that your site plan has a revision date of October 7,
23	but we need a similar situation on the landscape plan.
24	I presume that will be prepared by the same person.
25	MR. RANT: Patricia Hopkins is the landscape

designer. So I'll have her do a cleaned-up plan with symbols and locations and a revision date that would accurately reflect my presentation and what's in the decision.

MR. AVRUTINE: Thank you.

CHAIRMAN HADJANDREAS: One thing that I want to state for the record in terms of the landscape plan that's been submitted and that will be revised is, if it is accepted by the Board, that plan will have to be certified by your landscape designer.

What was her name?

MR. RANT: Patricia Hopkins.

CHAIRMAN HADJANDREAS: Because she is the landscape designer of record that designed this plan, after everything is done and in the ground, she would have to certify that it's healthy and, you know, growing and doing what it's supposed to do. And then that certification would, you know, you would need that certification to close out your permits and get your C of O, just so you understand.

Does the Board have any questions for Mr. Rant?

How much soil do you expect to pull out? Is everything being removed or are you going to keep it on site?

1	MR. RANT: Soil is being removed from the
2	property.
3	CHAIRMAN HADJANDREAS: Do you know about
4	MR. RANT: I don't have the document with me,
5	but it's we will submit a fill application that's
6	pending and it would be on that application.
7	CHAIRMAN HADJANDREAS: One other point for the
8	Board, that anything if we approve tonight is going to
9	be contingent on the Trustees. The homeowner has to go
10	in front of the Trustees next Wednesday, a week from
11	tomorrow, to obtain a fill removal permit. And anything
12	that if we approve is contingent also on them approving
13	that, and that goes for the tree removal as well. So
14	whatever happens at this hearing, it doesn't matter
15	until the Trustees approve or not next week. So, if
16	they approve, then everything we did do tonight moves
17	forward.
18	MR. Da LUZ: It means you can't
19	MR. AVRUTINE: Sir, give your name and
20	address.
21	MR. Da LUZ: My name is Orlando Da Luz. I'm
22	one of the partners on the building. 23 Frontier Lane,
23	East Northport.
24	MR. AVRUTINE: You wanted to say something?
25	MR. RANT: He was just clarifying trees

MR. Da LUZ: The trees cannot be removed until the next hearing, is that what you are saying?

CHAIRMAN HADJANDREAS: In terms of the way the process works, tonight, if the Board motions to accept and approve what you've submitted and next week the Trustees approve your removal of the soil and you get both those approvals, at that point, then the trees could be removed, but not until both approvals happen.

MR. Da LUZ: Okay.

CHAIRMAN HADJANDREAS: I have one thing that came up was a concern from one of your neighbors, and I wanted to address that in a public portion of the hearing.

So, in regards to the front, which we did not discuss tonight, the front setback of the property, so between Laurel Lane and the front of your house, there's a lot of screening there and a lot of large trees, but there's also a lot of vines, invasive vines that are taking over basically, that extend down the eastern portion of your property line. And the concern from the neighbor, actually the letter was very complimentary of how you've improved the site, but she or he would like to see that addressed, that those vines be removed. So as part of this landscape plan what I would like to add in terms of, again, for your, you know, to get that

1	final checkoff, is that that area of the front setback
2	and the side setback up until the point where, you know,
3	it's all been cleared, the vines are removed so that,
4	you know, again the trees that are there can be healthy
5	and thrive.
6	MR. Da LUZ: Yes. The plan what I was
7	planning is, like, there is a lot of dead branches on
8	the bottom, so I would cut those off, I leave whatever
9	little trees are there already, some of them. Because
10	there is some pines or whatever, they are like little
11	ones, so I could leave some of those and then just plant
12	whatever I'm going to need for to make it look good.
13	CHAIRMAN HADJANDREAS: That's the goal. You
14	already made it look very good, and we appreciate that.
15	Any of the Board members, any questions for
16	the homeowner?
17	MR. AVRUTINE: Does the public have any
18	comments?
19	There's none.
20	Mr. Antonelli, please offer your assessment,
21	if you would.
22	MR. ANTONELLI: For the record, Jim Antonelli,
23	Village Engineering Consultant.

I had reviewed the plan dated July 2. Now we

have one dated today, October 7. I've had a few minutes

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here to take a look at it.

It looks like the grading around the northeast corner of the house has been changed very slightly. I think it actually makes the drainage or the contour around the proposed catch basin as a yard drain less severe, and I think it's going to work a little better. It does not impact the slope area whatsoever.

For the record, the applicant has filed an excavation and fill permit to the Village to remove approximately 1200 yards, cubic yards, of material. I really did not have any issues with grading and drainage on the property. I think it certainly meets the standards that the Village has for containment of runoff.

Just a point of clarification, I think the statement was made that there are two dry wells in the front yard. There are actually three of them. One of them, just to be clear, one of them is for the driveway and parking court and the other two are for roof leaders and the yard drain in the front.

As far as slopes are concerned, I did check just to make sure that the slope category, since they are regulated differently, I wanted to make sure that they were plotted correctly based on the topographic information provided, and what is shown on the plan is

correct in my estimation. I believe only five of the
ten trees are within that regulated area, for whatever
that's worth. I thought that the slope disturbance was
minimal. There's basically no regrading in the rear of
property and just a very, very small portion, and I'm
talking about, you know, a few square feet literally, in
the northeast corner of house. So I don't really see
any impact. Certainly, the Board has jurisdiction over
the trees, but as far as the slopes are concerned, I
don't see any impact of a negative nature or any
significant nature.

MR. AVRUTINE: Would it be your recommendation that the Board enact a negative declaration under the New York State Environmental Quality Review Act based upon your review?

MR. ANTONELLI: I believe it is an unlisted action under SEQRA, and I've taken the liberty of preparing a SEQRA, Part II. The applicant had provided Part I, the Short Environmental Assessment Form, which is what is required for an unlisted action. And, yes, I recommend that the Board adopt a negative declaration.

MR. AVRUTINE: Thank you, Mr. Antonelli. Any questions?

MR. ANTONELLI: I prepared papers accordingly and I signed.

CHAIRMAN HADJANDREAS: Mr. Antonelli, are there any retaining walls going in as part of this slope disturbance?

MR. ANTONELLI: Let me check.

No.

CHAIRMAN HADJANDREAS: Does the Board have any questions for Mr. Antonelli?

I'm sorry. Mr. Da Luz, I have one more question, not question, statement, again that I need to get on a public record for you.

MR. Da LUZ: Okay.

CHAIRMAN HADJANDREAS: Because what you asked for originally in terms of removal of trees and it's been changed now, and the numbers are the same but the trees are different. Previously, you marked some trees that are going to be staying with orange spray paint, and what the Board asks is, again, if we move forward and approve this, that the trees that are staying you cover that up with brown paint or whatever you're going to do to make it -- we really don't like when they spray paint because if we don't approve it, the trees have been marked now. You didn't know that, but cover up the trees that are staying.

And the other point is, especially the large trees, that any construction or grading that's going to

be done in the area of those trees, that those trees and the roots are protected at least 10 or 15 feet around the trees so the roots don't get damaged that we are keeping on site.

MR. Da LUZ: That should be easy to do because there's nothing, like, going right next to it.

CHAIRMAN HADJANDREAS: The thing is, since the trees are marked and they are staying now, I don't want tree guys to come in and cut everything down.

MR. Da LUZ: No. I will be there when he comes.

MR. ANTONELLI: May I suggest that they use some type of a hard tree protection. I think, you know, some type of fencing. I know Mike has a standard detail on that. It may even be on the plan. But I agree with you. I think using plastic flagging, surveyors tape, that that type of thing is certainly removable. But paint is going to give somebody, and it could be a contractor, the wrong idea. I think some other type of --

CHAIRMAN HADJANDREAS: So, your suggestion is to flag the trees that are being removed with like an orange or --

MR. ANTONELLI: Well, I think it's too late for that on this site. But I think one thing that could

1	be done is some type of hard tree protection or some
2	type of a construction fencing, you know, the orange
3	fence, or even a little more substantial to keep the
4	equipment from running over it.
5	CHAIRMAN HADJANDREAS: The one tree that we're
6	concerned about, if you're looking at the front of the
7	house, the large tree that's on the left corner of the
8	house. If we can protect that tree with a barrier of
9	some type.
10	MR. Da LUZ: Yes, we will do that.
11	MR. RANT: A hardened 2 by 4.
12	CHAIRMAN HADJANDREAS: Like you see when, not
13	that you have to put it in the ground, but just they
14	build like kind of a cage, if you will.
15	MR. AVRUTINE: Mr. Rant, is there a detail for
16	that on your drawing?
17	MR. RANT: We can provide a standard detail.
18	It is not on there.
19	MR. AVRUTINE: That would be on your drawing
20	or on the landscape?
21	MR. RANT: On our drawing.
22	MR. AVRUTINE: So, if you can submit a further
23	when you submit the revised landscape drawing.

MR. RANT: We'll show the location of where to

install it and we'll show a detail of how to install it.

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1	MR. AVRUTINE: Wonderful.
2	CHAIRMAN HADJANDREAS: Are there any other
3	questions for anybody from the Board?
4	MR. AVRUTINE: We need a motion to close the
5	public hearing.
6	MEMBER DiBLASIO: Motion.
7	MR. AVRUTINE: Member DiBlasio.
8	A second?
9	MEMBER JONES: Second.
10	MR. AVRUTINE: Member Jones.
11	All in favor?
12	CHAIRMAN HADJANDREAS: Aye.
13	MEMBER DiBLASIO: Aye.
14	MEMBER JONES: Aye.
15	MEMBER GALTIERI: Aye.
16	MR. AVRUTINE: I need a motion to declare lead
17	agency under the New York State Environmental Quality
18	Review Act.
19	MEMBER GALTIERI: I'll do that.
20	MR. AVRUTINE: Member Galtieri.
21	May I have a second?
22	Chairman Hadjandreas.
23	All in favor?
24	CHAIRMAN HADJANDREAS: Aye.
25	MEMBER DiBLASIO: Aye.

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1	MEMBER JONES: Aye.
2	MEMBER GALTIERI: Aye.
3	MR. AVRUTINE: And a motion to declare the
4	matter unlisted under the New York State Environmental
5	Quality Review Act, anyone?
6	MEMBER JONES: Motion.
7	MR. AVRUTINE: Member Jones.
8	Second, please?
9	MEMBER DiBLASIO: Second.
10	MR. AVRUTINE: Member DiBlasio.
11	All in favor?
12	CHAIRMAN HADJANDREAS: Aye.
13	MEMBER DiBLASIO: Aye.
14	MEMBER JONES: Aye.
15	MEMBER GALTIERI: Aye.
16	MR. AVRUTINE: And I need a motion for a
17	negative declaration under the New York State
18	Environmental Quality Review Act.
19	CHAIRMAN HADJANDREAS: I motion that.
20	MR. AVRUTINE: Chairman Hadjandreas.
21	Second, please?
22	MEMBER GALTIERI: Second.
23	MR. AVRUTINE: Member Galtieri.
24	All in favor?
25	CHAIRMAN HADJANDREAS: Aye.

1	MEMBER DiBLASIO: Aye.
2	MEMBER JONES: Aye.
3	MEMBER GALTIERI: Aye.
4	MR. AVRUTINE: And a motion on the
5	application?
6	CHAIRMAN HADJANDREAS: Motion to approve.
7	MR. AVRUTINE: Let's go through the conditions
8	by Chair Hadjandreas.
9	The first condition is going to be submission
10	of the revised landscape plan which will depict
11	MR. ANTONELLI: Clarification of what goes in
12	and what comes out.
13	MR. AVRUTINE: What exactly do you want?
14	CHAIRMAN HADJANDREAS: A revised landscape
15	plan that identifies the quantity and species of plants
16	going in on the east and western sides of the house.
17	MR. AVRUTINE: All to the satisfaction of
18	CHAIRMAN HADJANDREAS: Of the Board, yes.
19	And that the vines and invasives will be
20	removed from front setback, the large trees protected in
21	the front left corner of the house.
22	MR. AVRUTINE: All of the trees that will
23	remain be protected.
24	CHAIRMAN HADJANDREAS: Yes, protected.
25	And trees that were previously marked be

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unmarked that are going to be staying.
Am I forgetting anything?
MEMBER GALTIERI: Subject to the
certification.
CHAIRMAN HADJANDREAS: Yes, thank you.
MR. AVRUTINE: That's in every one, but that
is a standard.
And the revised site plan as well.
Okay. I think that covers the conditions.
And a second on the motion?
MEMBER JONES: Second.
MR. AVRUTINE: Member Jones.
All in favor?
CHAIRMAN HADJANDREAS: Aye.
MEMBER DiBLASIO: Aye.
MEMBER JONES: Aye.
MEMBER GALTIERI: Aye.
MR. AVRUTINE: Approved as conditioned.
Also, one other thing subject to, one of the
other conditions is, any other jurisdiction including
the Board of Trustees' approval.
CHAIRMAN HADJANDREAS: Sure.
MR. AVRUTINE: That's also a standard
condition, but I want to make sure that's clear on the
record.

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1	All in favor?
2	CHAIRMAN HADJANDREAS: Aye.
3	MEMBER DiBLASIO: Aye.
4	MEMBER JONES: Aye.
5	MEMBER GALTIERI: Aye.
6	MR. RANT: Thank you very much.
7	MR. Da LUZ: Thank you.
8	**********
9	CERTIFIED THAT THE FOREGOING IS A TRUE AND ACCURATE TRANSCRIPT OF THE ORIGINAL STENOGRAPHIC MINUTES
10	IN THIS CASE.
11	
12	RONALD H. KOENIG
13	Senior Court Reporter
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