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INCORPORATED VILLAGE OF LAUREL HOLLOW  
PLANNING BOARD  
PUBLIC HEARING  
November 20, 2019  
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

P8-2019 & T39-2019 - Biton - 16 Springwood Path  
Removal of Trees

RONALD KOENIG  
OFFICIAL COURT REPORTER

## Proceedings

1 MR. AVRUTINE: This is the public hearing on  
2 Applications P8-2019 and T39-2019, the application of  
3 Jill Biton, 16 Springwood Path, for approval to remove  
4 four trees in the front yard setback. The parcel of  
5 property is also known as Section 14, Block 25, Lot 28  
6 on the Nassau County Land and Tax Map.

7 The exhibits in connection with this  
8 application are as follows:

9 First, an Affidavit of Posting from Elizabeth  
10 Kaye that the legal notice was posted to the front  
11 bulletin board at Village Hall on October 25, 2019.

12 The next exhibit is an Affidavit of  
13 Publication that the legal notice was published in the  
14 North Shore Leader on October 30, 2019.

15 The next exhibit is a document that confirms  
16 that the legal notice was published to the village  
17 website on October 25, 2019.

18 The next exhibit is a document that confirms  
19 that the legal notice was sent to village website NEWS  
20 subscribers on November 14, 2019.

21 The next exhibit is an affidavit of mailing  
22 from the applicant indicating that the Notice of Public  
23 Hearing was mailed on November 4, 2019.

24 And the final exhibit is notification from the  
25 Nassau County Planning Commission dated October 4, 2019,

1 that the matter is referred to the Village of Laurel  
2 Hollow Planning Board to take action as it deems  
3 appropriate.

4 Ms. Biton, please give your name and address  
5 for the record.

6 MS. BITON: Jill Biton, 16 Springwood Path,  
7 Laurel Hollow, New York.

8 MR. AVRUTINE: Thank you. You may proceed.

9 MS. BITON: So, the four trees we want to take  
10 down are extremely close to our house. Also, we have  
11 building permits to put a front porch where they are.  
12 So in conjunction of both that we're putting a porch  
13 there and they're too close to the house, they're also  
14 small. I guess there was a cross-communication that you  
15 guys had requested some landscape architects, but I got  
16 that e-mail yesterday at three o'clock.

17 CHAIRMAN HADJANDREAS: well, I spoke with your  
18 husband when he asked me to review the case with him a  
19 month ago. At the last Trustee meeting, I spoke  
20 face-to-face with your husband. He asked me what he  
21 needed to, you know, for the Board. I told him there  
22 were a lot of trees removed from the property without a  
23 permit, and that the Board is going to require a  
24 landscape plan to show new plantings and a buffer, you  
25 know, in the front of the property. And he assured me

## Proceedings

1 there was no issue.

2 MS. BITON: I guess for some reason that  
3 wasn't heard or whatever. So, there's attorneys  
4 communicating and I just got that e-mail yesterday at  
5 three o'clock.

6 So as far as that, we're obviously more than  
7 happy to plant trees. I love trees. I want to plant a  
8 ton of trees in the front of the house. Personally,  
9 bushes and evergreens. I don't think there's enough  
10 evergreens on the property. I love evergreens. But,  
11 those four trees are very close to the house and the  
12 arborist recommended they come down.

13 CHAIRMAN HADJANDREAS: She did, and we have  
14 for the record the arborist's letter. Her statements  
15 are, These trees are within 7 feet of the wall of the  
16 house. They're too close. They should all be removed  
17 for safety and cleanliness, also discouraging squirrels  
18 and raccoons from having roof access.

19 The other question that the Board had was,  
20 when we went and did the site visit, there were five  
21 trees.

22 MS. BITON: So, the fifth tree that was marked  
23 we think that tree is dead. Nancy told us to mark it so  
24 the arborist knew to check it when she went. She said,  
25 if she says it's not dead, it's fine, but if she said it

1 was dead we were just going to take it down as a dead  
2 tree.

3 CHAIRMAN HADJANDREAS: I understand. It looks  
4 not like --

5 MS. BITON: It wasn't about filing for it. If  
6 she said it was dead and we can take it, we would.

7 CHAIRMAN HADJANDREAS: She did not say  
8 anything, so I'm not sure if she forgot or didn't look  
9 at it or not. In her note she didn't make any mention  
10 of that.

11 MS. BITON: Right. She said that that wasn't  
12 something that needed to go to the Board. That's what  
13 they told us.

14 CHAIRMAN HADJANDREAS: So, in terms of the  
15 Board's concern, how long have you owned this house for?

16 MS. BITON: Two years now.

17 CHAIRMAN HADJANDREAS: So, you know, the Board  
18 in doing the site visit and the concern is, again,  
19 there's been, and from the street view pictures that we  
20 have that show the property previous to you owning it,  
21 these pictures are, it's not saying it on here but they  
22 were 2013, I'm not sure of the exact date, shows to the  
23 left of the area that you're doing, a lot of trees that  
24 were removed.

25 MS. BITON: So we did have permits, not Board

## Proceedings

1 permits, but we did have a lot of trees that we removed  
2 that were dead that we sent pictures to Nancy and she  
3 gave us the approval for, a lot of dead trees that were  
4 unmaintained for years that she has photos of and  
5 e-mails back and forth that she gave us the approval to  
6 take down.

7 I mean, a limb fell. We came to court for one  
8 tree that we took down. A year and a half ago a limb  
9 fell on my driveway with my one-year-old and my  
10 grandfather -- her grandfather. It was just so  
11 unmaintained, the property.

12 CHAIRMAN HADJANDREAS: Does your property  
13 extend all the way to --

14 MS. BITON: Woodfield Court.

15 CHAIRMAN HADJANDREAS: So, in regards to the  
16 landscape plan which is something that we had asked  
17 for --

18 MR. AVRUTINE: Well, if the Board is inclined  
19 to consider the application without the landscape plan,  
20 it can be conditioned upon a plan that is satisfactory  
21 to the Board.

22 CHAIRMAN HADJANDREAS: Okay.

23 MS. BITON: I also know that they're going in  
24 the process of excavation permits to level something, so  
25 I'm sure that will go through you guys as well.

1                   MR. AVRUTINE: The application for excavation  
2 or fill, that goes before the Board of Trustees.

3                   CHAIRMAN HADJANDREAS: I understand what  
4 you're saying. That's like the Mayor and the Trustees,  
5 the people you vote for, that goes in front them.

6                   So, a letter was sent to the Village. I'm  
7 going to read it. They asked it to be part of the  
8 record.

9                   To Chris and other members of the Planning  
10 Board. We received a letter from 16 Springwood Path  
11 about their wishes to take down trees directly in front  
12 of their house. After reviewing their plans for a new  
13 front elevation, it looks like they desire a large front  
14 porch.

15                   We would like it known and mentioned at this  
16 meeting, the residents of 16 Springwood Path, before  
17 vacating the home, used their current porch to house  
18 their packages and deliveries for days on end. Some of  
19 these packages would be opened by the homeowners and  
20 still remain on the front porch for days.

21                   Being that this is a beautiful neighborhood  
22 where you are expected to keep the front of your home  
23 tidy, we would like it mentioned that the other  
24 residents on the block have discussed this topic and we  
25 expect them to bring their packages and deliveries

1 inside in a timely fashion and not use their new larger  
2 front porch as an outdoor storage room.

3 Furthermore, the storage of open packages on a  
4 front porch is an invitation for porch pirates.

5 In closing, if removing trees is step one in  
6 the creation of a larger front porch, please make the  
7 homeowner aware of this issue. Can you please mention  
8 or review this letter during the 11/20/19 hearing.

9 And that's from one of your --

10 MS. BITON: I know who it's from.

11 CHAIRMAN HADJANDREAS: Are you living in the  
12 house or no?

13 MS. BITON: On and off. I have two babies,  
14 so --

15 CHAIRMAN HADJANDREAS: It's kind of hard going  
16 through construction with that. I get it.

17 I think, you know, again, we wanted to see,  
18 when I discussed this with your husband, I said the  
19 Board is going to want to see some screening and, what  
20 you said, in terms of evergreens.

21 MS. BITON: Like I said, I just got that  
22 e-mail yesterday.

23 MR. AVRUTINE: You have to talk one at a time.

24 MS. BITON: I'm sorry.

25 CHAIRMAN HADJANDREAS: We don't want to delay



1 things further, but what we can do so that it doesn't  
2 have to go to another hearing is when you submit a  
3 landscape plan, the Board will review it and we will  
4 communicate, you know, within ourselves, and if it's  
5 acceptable, at that point we can issue the tree permit.

6 So, would you be okay with that?

7 MS. BITON: That's fine.

8 CHAIRMAN HADJANDREAS: would the Board --

9 MEMBER GALTIERI: Sounds reasonable.

10 CHAIRMAN HADJANDREAS: what would the Board  
11 like to see in terms of to give Mrs. Biton some guidance  
12 for the landscape plan?

13 MEMBER GALTIERI: For me, it's hard to  
14 determine that until we see what the porch is going to  
15 look like and --

16 MS. BITON: So the porch is, it's this same  
17 porch, it just goes in front of the three windows on the  
18 right and the three windows on the left.

19 CHAIRMAN HADJANDREAS: So it's wider, not  
20 deeper?

21 MS. BITON: No. It's the same depth, it just  
22 extends left and right. And that little house comes  
23 down, and obviously like an overhang across the whole  
24 thing.

25 MEMBER JONES: Is it a front porch across the

1 entire front of the house?

2 MS. BITON: No. No. Just from here to here.  
3 Just the three windows.

4 CHAIRMAN HADJANDREAS: So, the porch is going  
5 to go across the front there.

6 And you're saying this roof structure comes  
7 down?

8 MS. BITON: And a new.

9 CHAIRMAN HADJANDREAS: we don't get involved  
10 with that. So, it's a lot more area of a porch. I'm  
11 sure it's going to be foundation plans.

12 MS. BITON: I don't know that.

13 CHAIRMAN HADJANDREAS: It's the screening, the  
14 evergreens, trees. You're taking down four large  
15 deciduous trees. You know, we would like four trees in  
16 the front planted, and, you know, evergreens to screen  
17 the front of the house.

18 MS. BITON: That would be my choice. I love  
19 evergreens.

20 CHAIRMAN HADJANDREAS: It's your house. We're  
21 not telling you.

22 MS. BITON: My first choice would be  
23 evergreens personally. But if you wanted something  
24 else, that's fine too.

25 MR. AVRUTINE: I just have a suggestion.

1           whichever professional you're going to retain for  
2           purposes of doing your landscape design and preparing  
3           the drawing you're going to submit, I would request that  
4           on the drawing you have him just show where the new  
5           porch is going to be so it's clear for the Board  
6           members, and set forth, after consulting with you and  
7           you giving direction, what types of trees and shrubs and  
8           whatever it is that's going to be planted and that the  
9           drawing contain a schedule like you've heard from the  
10          last case of the different varieties, the locations, the  
11          sizes, so it's clear. And if that's done, you're likely  
12          to get a faster answer as opposed to if it's less  
13          descriptive and less detailed, the Board will send it  
14          back saying have you to add this. So, your professional  
15          will know what to do.

16                   CHAIRMAN HADJANDREAS: And lastly, what you're  
17          putting in the ground should be a minimum for evergreens  
18          of 6 to 8 feet and on deciduous trees a 3-inch caliper.

19                   MS. BITON: All right. And you're requiring  
20          four trees?

21                   MEMBER GALTIERI: I think what we want is a  
22          landscape plan.

23                   MS. BITON: Just to see what. But no other  
24          parameters, just 6 to 8 foot on evergreens.

25                   CHAIRMAN HADJANDREAS: Right. Some people

## Proceedings

1 think they can buy an evergreen at Home Depot and say,  
2 hey, I planted a tree. It's little more than that.  
3 we'll give you the goal, and then you put your plan  
4 together. Again, it's your house, to shield your --

5 MEMBER GALTIERI: Your packages from Amazon.

6 MS. BITON: which, by the way, the guys put  
7 inside my garage.

8 CHAIRMAN HADJANDREAS: To shield the front.  
9 You know, like a lot of times what's said is, okay, a  
10 view of your -- a peek, not a wide open view.

11 MS. BITON: Okay.

12 CHAIRMAN HADJANDREAS: Does anybody have a  
13 comment on the Biton application?

14 MR. AVRUTINE: Let the record reflect that  
15 there is no public comment.

16 A motion to close?

17 MEMBER JONES: Motion.

18 MR. AVRUTINE: By Member Jones.

19 A second, please.

20 CHAIRMAN HADJANDREAS: Second.

21 MR. AVRUTINE: By Chairman Hadjandreas.

22 All in favor?

23 CHAIRMAN HADJANDREAS: Aye.

24 MEMBER ABRAMS: Aye.

25 MEMBER DIBLASIO: Aye.

Proceedings

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MEMBER JONES: Aye.

MEMBER GALTIERI: Aye.

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

A motion on the application?

MEMBER GALTIERI: So moved.

MR. AVRUTINE: By member Galtieri.

MEMBER JONES: Second.

MR. AVRUTINE: Seconded by Member Jones, with the condition of submission of a landscape plan satisfactory to the --

CHAIRMAN HADJANDREAS: For the front of the house. We don't need to see -- you're doing a lot of work there. I'm sure you're doing other stuff in the back that's not affecting us.

MS. BITON: Yes.

MR. AVRUTINE: Application approved as conditioned.

Thank you.

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

*Ronald Koenig*  
\_\_\_\_\_  
RONALD H. KOENIG  
Senior Court Reporter