

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

INCORPORATED VILLAGE OF LAUREL HOLLOW  
PLANNING BOARD  
PUBLIC HEARING  
December 18, 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  
JAMES ANTONELLI, Village Engineer

P13-2019 & T50-2019 - Grippo - 7 Birch Court

RONALD KOENIG  
OFFICIAL COURT REPORTER

## Proceedings

1 MR. AVRUTINE: This is case P13-2019 and  
2 T50-2019, public hearing on the application of Ted and  
3 Heidi Grippo, 7 Birch Court, Laurel Hollow, for approval  
4 to remove 21 trees in connection with a building permit  
5 for proposed new in-ground pool, spa and patio.

6 The partial of property under application is  
7 also known as Section 26, Block 1, Lot 2 on the Nassau  
8 County Land and Tax Map.

9 The exhibits in connection with this  
10 application are as follows:

11 First, Affidavit of Posting from Elizabeth  
12 Kaye that the legal notice was posted on the bulletin  
13 board at Village Hall on November 26, 2019.

14 The next exhibit is an Affidavit of  
15 Publication that the legal notice was published in the  
16 North Shore Leader on December 4, 2019.

17 The next exhibit is a document that confirms  
18 that the legal notice was published to the village  
19 website on November 26, 2019.

20 The next exhibit is a document that confirms  
21 that the legal notice was sent to village website NEWS  
22 subscribers on December 12, 2019.

23 The next exhibit is an Affidavit of Mailing  
24 from the applicant indicating that the notice of public  
25 hearing was mailed on December 4, 2019.

## Proceedings

1                   And the final exhibit is notification from the  
2 Nassau County Planning Commission dated November 15,  
3 2019 that the matter is referred to the village of  
4 Laurel Hollow Planning Board to take action as it deems  
5 appropriate.

6                   Is there a representative here this evening on  
7 behalf of the applicant?

8                   MR. LeBLANC: Yes.

9                   MR. AVRUTINE: State your name and address for  
10 the record.

11                   MR. LeBLANC: Jason LeBlanc from Landscapes by  
12 Bob Dohne. My address is 293 Oakland Avenue, Miller  
13 Place.

14                   MR. AVRUTINE: You may proceed.

15                   MR. LeBLANC: Okay. Good evening, Members of  
16 the Zoning Board.

17                   MR. AVRUTINE: This is the Planning Board.

18                   MR. LeBLANC: Planning Board, and anyone in  
19 the audience.

20                   We are seeking permission to take down 18  
21 trees for the construction of an in-ground swimming  
22 pool, spa and related landscape development. Our  
23 original design called for the take down of 21 trees at  
24 the site. However, after a meeting on November 11, 2019  
25 with Elizabeth Bibla, the Village arborist, we modified

Proceedings

1 our plan as per her recommendations and guidance.

2 The trees we are seeking permission to take  
3 down are identified on our tree removal plan. There are  
4 a total of approximately 275 trees on the entire  
5 property. We are proposing adding an additional 28 new  
6 trees and we have identified these new plantings in a  
7 planting schedule on our landscape development plan  
8 which was prepared this past Monday.

9 In addition to the new trees, we are adding a  
10 substantial number of shrubs and ground cover plantings  
11 also identified in the planting schedule on our  
12 landscape development plan.

13 The location and size of the proposed swimming  
14 pool and landscape development was reviewed by the  
15 Zoning Board of Appeals and Jim Antonelli, the Village  
16 Engineer, last Thursday, December 12, 2019, and was  
17 approved.

18 The purpose of the ZBA hearing was to seek  
19 relief for the construction of the swimming pool and  
20 landscaping because the rear of the property meets  
21 Moores Hill Road and is viewed by the village as a front  
22 yard and part of the pool area development enters into  
23 steep slope category. Both of the above were reviewed  
24 and approved by the ZBA and Jim Antonelli.

25 Thank you for reviewing our request for the

## Proceedings

1 take down of the trees.

2 Now I will go through --

3 CHAIRMAN HADJANDREAS: Do you have the  
4 landscape plan that you are going to submit?

5 MR. LeBLANC: Yes, and I have copies there  
6 too. But, because I guess you all pretty much know,  
7 you've been at the site, so the yellow are the trees  
8 that are to be removed, you know, as impacted by the  
9 placement of the swimming pool, which you can basically  
10 see. And this is the proposed landscape plan here.

11 At the meeting last Thursday, we talked about  
12 putting in a buffer to screen out Moores Hill Road  
13 between Moores Hill Road and the residence. So what I  
14 proposed is 21 Leyland cypress that are staggered 6 foot  
15 on center and elevated on a 2 1/2 to 3 foot earth  
16 mounding, you know, which will be a big, you know,  
17 improvement over screening in the wintertime.

18 MR. AVRUTINE: Is that going to be a berm?  
19 Because I know there was a concern at the BZA meeting  
20 regarding having a berm and whether there would be  
21 runoff from that.

22 MR. LeBLANC: The direction of the water is  
23 going, if this is the east, so it basically runs east to  
24 west. So by placing a slight berm back here, that  
25 shouldn't, I think Jim would agree with me, that just

1 slightly elevating, you know, across the north side  
2 won't hinder any water because you can see with the  
3 natural grade it's going east to west and we're only  
4 berming up high enough just to, you know, get a little  
5 bit of elevation.

6 MR. AVRUTINE: Sure. I understand. Again, I  
7 wanted to reference that because the question was raised  
8 when the concept of a berm was brought up at the BZA  
9 hearing. I just want to make sure that it's covered  
10 here.

11 Another question I have is, has this plan been  
12 filed with the BZA yet?

13 MR. LeBLANC: We just got done preparing it on  
14 Monday. So I have copies, six copies of it here, or I  
15 can file it tomorrow.

16 MR. AVRUTINE: Yes, please do, when Nancy is  
17 here.

18 MR. LeBLANC: Officially done with Nancy.

19 MR. AVRUTINE: Because in the event the  
20 Planning Board decides to approve the application, it  
21 will have a similar condition to the one that was  
22 imposed by the Board of Zoning Appeals which is the  
23 landscaping plan be satisfactory to the Board. So what  
24 will happen in this case is, it's not typical but it's  
25 appropriate here, that the landscape plan be approved by

1 both boards and they will consult as required to ensure  
2 that we have consensus on one plan rather than drive you  
3 crazy.

4 MR. LeBLANC: Yeah.

5 MR. AVRUTINE: So, that's going to be the  
6 issue.

7 The other thing I'd just like you to clarify  
8 for the record is the number of trees being 21 from the  
9 original application and how many are you proposing to  
10 remove by virtue of the revised plan.

11 MR. LeBLANC: Okay. Going back to this, when  
12 I had met Elizabeth Bibla on site, she recommended  
13 saving 15 and 16 up on this eastern slope here, and then  
14 21 putting a rock wall so the soil wouldn't encroach  
15 into the trunk of the tree, like a rock barrier wall.

16 MR. AVRUTINE: Just again to clarify for the  
17 record --

18 MR. LeBLANC: Then that would reduce --  
19 originally we wanted to take 21 down. So we're going to  
20 reduce that number, you know, as I stated in my opening  
21 statement to 18.

22 MR. AVRUTINE: Thank you.

23 MR. LeBLANC: And, you know, that's noted on  
24 the revised remarks and tree removal schedule.

25 MR. AVRUTINE: Thank you.

1                   CHAIRMAN HADJANDREAS: Can you -- with the  
2 updated landscape plan you pointed out the 21 Leyland  
3 cypress that are going in, I guess, in the north of the  
4 property.

5                   MR. LeBLANC: Right.

6                   CHAIRMAN HADJANDREAS: And you noted in your  
7 opening statement you said there were 28 trees going in.  
8 Can you just go through those.

9                   MR. LeBLANC: So the 21, 8 to 9 foot heavy  
10 Leyland cypress which is a fast growing tree, very fast,  
11 and then these are flowering deciduous trees in the  
12 front and those are styrax japonica. They get a pink  
13 flower.

14                  CHAIRMAN HADJANDREAS: Do you know how big  
15 they get at maturity?

16                  MR. LeBLANC: They're not a large scale tree.  
17 They're a small scale tree. So at maturity 18 to  
18 25 feet.

19                  MR. AVRUTINE: What's the height when planted?

20                  MR. LeBLANC: They will be 8 to 9 foot. And  
21 then three more trees on the eastern slope which would  
22 be Kousa dogwood which is again a smaller scale tree.

23                  The owners, the Grippos felt --

24                  CHAIRMAN HADJANDREAS: I was just counting up  
25 -- okay.

1 MR. LeBLANC: So, it's the 21 plus 4, 5, 6,  
2 7 -- 28 trees. And the rest would be shrub planting to  
3 control the erosion on the slope.

4 But the Grippos felt that instead of wanting  
5 maple or oak trees that are going to grow very large,  
6 you know, they felt like it would enhance their backyard  
7 to have smaller scale flowering trees since the majority  
8 of the plantings on the property are large scale oaks  
9 and maples and what have you.

10 CHAIRMAN HADJANDREAS: A small concern I have  
11 is, the lot is very wooded that we saw when we went  
12 there and taking down let's just say in the area where  
13 the pool is going and around the pool, behind it it's  
14 going to remain very wooded. The issue with Leylands  
15 is, they kind of need full sun. Do you think they're  
16 going to handle that area?

17 MR. LeBLANC: I mean, they will because they  
18 will do well in sort of a semi shade. You know, if not,  
19 we can change it over to a Green Giant arborvitae which  
20 will tolerate the shade or Cryptomeria which will  
21 tolerate the shade if you feel that the Leylands  
22 wouldn't work.

23 CHAIRMAN HADJANDREAS: I'm not an arborist or  
24 a landscape designer. I know in my personal situation  
25 that Leylands need full sun to really grow and to

## Proceedings

1 thrive.

2 Again, this is the screening, my personal  
3 opinion, is adequate. I'm just not sure if the type of  
4 trees, you know, what's going to last there or what's  
5 going to sustain.

6 MR. LeBLANC: Right.

7 MR. AVRUTINE: Excuse me one second.

8 MR. LeBLANC: As you move it, it's very much  
9 open through here, and as we move into the back, you  
10 know, it does become denser. So I would say, you know,  
11 I can go out and/or, you know, you could go out and, you  
12 know, we can see exactly how much sunlight we're talking  
13 about. Of course, I wouldn't put something --

14 MR. ANTONELLI: If I could just add something.

15 Jim Antonelli, Village Engineer.

16 This is very similar to what I did in my  
17 backyard after we lost a lot of our evergreens after the  
18 Sandy inundation on the south shore. I see a southern  
19 exposure here with a lot of open area and it's very  
20 similar to what I have. I put in 8-to-10-foot Leylands.  
21 I think my neighbor put in 8 footers two years later.  
22 His are taller than mine right now and they all have  
23 this very similar exposure in total privacy.

24 We did the same thing with smaller trees. We  
25 got rid of the invasive ailanthus and so on and put in

## Proceedings

1 flowering dogwood. You don't get all the leaves in the  
2 pool. You don't get the shade hiding the pool. And I  
3 thought it worked very well.

4 CHAIRMAN HADJANDREAS: Absolutely understood.  
5 Everybody wants sun on their pool, and I think it looks  
6 very beautiful.

7 Do any of the board members have any  
8 questions?

9 MEMBER ABRAMS: I have one question.

10 I think you said there are a total of 28 trees  
11 that are being planted?

12 MR. LeBLANC: That we're proposing.

13 MEMBER ABRAMS: The tree removal plan also has  
14 a note on here saying, tree suggestions to replace trees  
15 to be removed, and here there's 21 trees, then there's  
16 all the shrubs and the perennials. And we don't have a  
17 landscape plan. This is the first I'm seeing of a  
18 landscape plan.

19 MR. AVRUTINE: That's going to supersede the  
20 drawing you're looking at. The way this will work, as I  
21 said before, is that if the Board is inclined to approve  
22 the application, it will have the condition that it's,  
23 the approval is conditioned --

24 MEMBER ABRAMS: Now it's 18 trees.

25 MR. AVRUTINE: Yes. The application has been

1 amended to remove 18 rather than the 21 originally  
2 requested. And, if approved, I would recommend that the  
3 Board condition that upon submission and acceptance and  
4 approval of a landscape plan that's satisfactory to the  
5 Planning Board.

6 And I think that, as I also indicated, it  
7 should be done in consultation with the Board of Zoning  
8 Appeals so that there's not inconsistency and that  
9 there's one uniformly approved plan by both boards that  
10 the applicant can rely upon.

11 MEMBER ABRAMS: That's fine. I just wanted to  
12 make sure that we realize that there was a slight  
13 inconsistency in count between what is being proposed  
14 right now and what is showing on this existing tree  
15 removal plan. Because this tree removal plan does at  
16 least address the three out of 21 trees that are now  
17 going to remain. I wouldn't have done it this way, but  
18 that's okay. But it shows 15, 16 and 21 on the tree  
19 removal schedule as not really being removed anymore,  
20 they are to remain.

21 MR. AVRUTINE: The reason for that is because  
22 this plan was prepared prior to the BZA meeting and so  
23 the gentleman is attempting to address what the BZA  
24 requested.

25 CHAIRMAN HADJANDREAS: Normally, the process

## Proceedings

1 would be when there's a slope disturbance and a tree  
2 removal, the homeowner would go in front of a Planning  
3 Board and if there is anything additional to slope and  
4 trees as it is with the Grippo residence where it's  
5 confusing everybody, it's obviously that's the backyard  
6 but for whatever reason it's shown as the front yard,  
7 and that caused them to go to ZBA. Normally, again,  
8 this would have been settled already. You would have  
9 been in front of the Planning Board first, but because  
10 of the way the schedule was and the calendar, we had to  
11 do it this way.

12           So what's going to happen is, we're going to,  
13 you know, discuss the plan a little further and vote on  
14 it. If we vote to approve it, a couple things. I would  
15 have to, you know, go through it with the Zoning Board  
16 Chair, make sure it's acceptable to both of our boards.  
17 And then that plan, whatever the final plan is, I don't  
18 know if the Zoning Board is going to say we want to see  
19 this or whatever gets amended, whatever the final plan  
20 is, you being the landscape designer of record, after  
21 everything is said and done and what you're attesting to  
22 planting, what you're saying is going to be planted,  
23 after the pool is built after the plants are put, the  
24 screening trees, not the shrubs and perennials and all  
25 that, just the screening is put in the ground, you're

## Proceedings

1 going to have to self-certify that they're in the ground  
2 and alive and healthy. And that's going to be one of  
3 the conditions to closing out the permit for the Grippo  
4 family.

5 Just so you're aware of the process.

6 MR. LeBLANC: Right.

7 CHAIRMAN HADJANDREAS: Do any of the board  
8 members have any questions about the proposed landscape  
9 plan or tree removal?

10 MEMBER JONES: I do have a question.

11 In Ms. Bibla's letter, it mentioned that  
12 there's going to be a temporary access road constructed.  
13 Where is that going to be?

14 MR. LeBLANC: It's right here just so, you  
15 know, with heavy equipment coming in they don't get  
16 bogged down in the mud. And then that will be removed  
17 at the completion of the construction.

18 MEMBER JONES: And that won't affect Tree  
19 No. 1 or --

20 CHAIRMAN HADJANDREAS: That's coming out.

21 Is that the reason why Tree 1 is because of  
22 the access road, is that the reason that Tree No. 1  
23 is --

24 MR. LeBLANC: That's part of the reason, and  
25 it is a larger tree that is leaning in towards the pool

## Proceedings

1 and they're afraid it could come down in a storm.

2 CHAIRMAN HADJANDREAS: Is it noted on your  
3 plan, on the landscape plan, the rock wall that you're  
4 going to build around Tree No. 21, is it noted how far  
5 from the trunk? Because the tree needs to be able to  
6 breathe. You could put a rock wall there and it will be  
7 dead in a year. How many feet from the trunk of the  
8 tree? Is it shown on the plan?

9 MR. LeBLANC: It's not shown on the plan.

10 CHAIRMAN HADJANDREAS: On the plan that you're  
11 going to submit, I mean, the landscape plan.

12 MR. LeBLANC: It isn't noted on the landscape  
13 plan. I could combine the landscape plan with the tree  
14 removal plans then.

15 CHAIRMAN HADJANDREAS: I mean, you're going to  
16 have to amend this and resubmit it, so I just want to  
17 see in the plan that the wall is shown --

18 MR. LeBLANC: Right.

19 CHAIRMAN HADJANDREAS: -- and how far.

20 MR. LeBLANC: Right.

21 CHAIRMAN HADJANDREAS: In your expert opinion,  
22 how far should the wall be from the base of the tree so  
23 that the tree can stay healthy?

24 MR. LeBLANC: We try to get it out at the  
25 dripline of the tree. But that being said, some

## Proceedings

1 driplines of major trees could go out 40 feet, then you  
2 have to take maybe a distance of --

3 CHAIRMAN HADJANDREAS: What's the minimum that  
4 you would say the wall would have to be for it to be  
5 effective?

6 MR. LeBLANC: I would say 10 feet, 10 feet  
7 out, 12 feet is good, just so the roots in that distance  
8 can take oxygen in.

9 CHAIRMAN HADJANDREAS: So in your plan, when  
10 you amend the plan, just stipulate that the rock wall  
11 that you're going to put in to retain will be at a  
12 minimum of 12 to 15 feet or, you know, from the base of  
13 the tree.

14 MR. LeBLANC: Okay.

15 CHAIRMAN HADJANDREAS: And just spell that  
16 out. Again, that's going to be part of what you're  
17 going to sign off at the end that that was done and it  
18 was done properly.

19 MR. LeBLANC: Right.

20 CHAIRMAN HADJANDREAS: That's all I have.

21 Is there anybody in the audience that has  
22 anything that they want to say about this application,  
23 the Grippo application?

24 MR. AVRUTINE: Let the record reflect there  
25 are none.

## Proceedings

1 Mr. Antonelli, do you have anything further to  
2 add?

3 MR. ANTONELLI: Just a suggestion. Typically  
4 the plan could include a standard detail for tree  
5 protection or the welling or walling off --

6 MR. LeBLANC: That is. I don't have the tree  
7 well, but I do have the detail for tree protection which  
8 should be in your packet.

9 MR. ANTONELLI: I would suggest that it go on  
10 that sheet.

11 MR. LeBLANC: And the planting details.

12 CHAIRMAN HADJANDREAS: For those details,  
13 please put those on the landscape plan as well. And  
14 again, the trees that are staying, please protect them  
15 so that they stay healthy.

16 MR. LeBLANC: Right. And I do show tree  
17 protection, which is the heavy duty solid, circles these  
18 trees out on the edge. This is a silt fence here to  
19 control erosion out there.

20 CHAIRMAN HADJANDREAS: I see.

21 MR. LeBLANC: with the legend.

22 MR. ANTONELLI: I just have one more thing I  
23 want to add for the record because I used a genus of a  
24 specific tree, ailanthus for the record is  
25 A-I-L-A-N-T-H-U-S.

1                   CHAIRMAN HADJANDREAS: One other thing I just  
2 wanted to get on the record. From the area that the  
3 Grippos are basically planting the screening, where  
4 they're not cutting the trees, to Moores Hill, what is  
5 the distance?

6                   MR. LeBLANC: This is the 100-foot setback  
7 line, so where the trees are going to be inside the  
8 fence. So I would say about 130, 140 foot would be the  
9 back of the screening.

10                  CHAIRMAN HADJANDREAS: That's completely  
11 undisturbed and to remain natural. I just wanted to get  
12 that on the record.

13                  MR. LeBLANC: Right. And I have a limit line  
14 of clearing right here which is on your plan which  
15 should be the dashed line.

16                  MR. AVRUTINE: If there was any intention to  
17 remove any of those trees, they would have to come back  
18 to this board for an application to seek removal.

19                  CHAIRMAN HADJANDREAS: Any additional trees,  
20 anything beyond what we're talking about, I wanted to  
21 just get on the record because it is a very wooded lot  
22 and there is a significant buffer between where they're  
23 doing the work and Moores Hill Road.

24                  MR. AVRUTINE: Just also for your edification,  
25 there was discussion at the Board of Zoning Appeals

1 meeting about the possibility of moving the location of  
2 the pool further south to accommodate saving some  
3 additional trees. But I think that the Board decided to  
4 approve it in its present location due to some slope  
5 issues and utility issues that were explained by the  
6 applicant's representatives.

7 CHAIRMAN HADJANDREAS: That's another reason  
8 why a lot of times the Planning Board goes before the  
9 Zoning Board because we may say shift the pool this way  
10 to save a tree, and because the Zoning Board has already  
11 sited the pool, the patios, everything, we can't now  
12 make those changes.

13 MR. LeBLANC: Right.

14 CHAIRMAN HADJANDREAS: So --

15 MR. LeBLANC: But as was discussed at that  
16 meeting, there is a ridge that runs, you know, east to  
17 west, and because of the length of the pool, even moving  
18 it 10 or 15 foot, we still have to take that ridge out  
19 to do the proper grading, and it wouldn't make a  
20 difference.

21 CHAIRMAN HADJANDREAS: Absolutely.

22 MR. AVRUTINE: We need a motion to close the  
23 public hearing.

24 Member DiBlasio.

25 MEMBER JONES: Second.

## Proceedings

1 MR. AVRUTINE: Second by Member Jones.

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

11 May I have a motion on the application.

12 MEMBER GALTIERI: Motion.

13 MR. AVRUTINE: Motion to approve.

14 MEMBER DiBLASIO: Second.

15 MR. AVRUTINE: By Member DiBlasio.

16 And the conditions are submission of landscape  
17 plan to the satisfaction of the Planning Board and also  
18 the self-certification by the applicant's professional  
19 that the landscape plan is being fully implemented once  
20 completed, and the usual conditions that we also  
21 attached.

22 MEMBER ABRAMS: Do we need to specifically  
23 reference that we're talking about Revision Four of this  
24 proposed site plan?

25 MR. AVRUTINE: No. I don't think that's

Proceedings

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

necessary.

MEMBER ABRAMS: Okay.

CHAIRMAN HADJANDREAS: Because what he has there is going to supersede that.

MR. LeBLANC: I do have six copies of what I have here, if you want.

MR. AVRUTINE: No, because you're going to resubmit.

May I have a vote on the motion by Member Galtieri seconded by Member DiBlasio. All in favor?

CHAIRMAN HADJANDREAS: Aye.

MEMBER ABRAMS: Aye.

MEMBER DiBLASIO: Aye.

MEMBER JONES: Aye.

MEMBER GALTIERI: Aye.

MR. AVRUTINE: Approved as conditioned.

MR. LeBLANC: Thank you.

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

Ronald Koenig  
RONALD H. KOENIG  
Official Court Reporter