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INCORPORATED VILLAGE OF LAUREL HOLLOW  
PLANNING BOARD  
PUBLIC HEARING  
September 21, 2020  
7 p.m.

VILLAGE HALL  
1492 Laurel Hollow Road  
Syosset, New York 11791-9603  
(Via video conference.)

- PRESENT: CHRIS HADJANDREAS, Chairman
- SCOTT ABRAMS, Member
- NANCY JONES, Member
- JAMES GALTIERI, Member

ALSO PRESENT:

- HOWARD AVRUTINE, Village Attorney
- ELIZABETH KAYE, Clerk/Treasurer

P8-2020 & T34-2020 - Cuccia - 26 Vista Drive

RONALD KOENIG  
OFFICIAL COURT REPORTER

1 MR. AVRUTINE: This is Public Hearing P8-2020  
2 and T34-2020, the public hearing on the application of  
3 Marisa and Richard Cuccia, 26 Vista Drive, for approval  
4 to remove 19 trees, some of which are considered to be  
5 in poor health, and to allow for planned landscaping of  
6 the subject property.

7 The parcel under application is also known as  
8 Section 25, Block 64, Lot 15 on the Land and Tax Map of  
9 Nassau County.

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

12 First, an Affidavit of Posting from Elizabeth  
13 Kaye that the legal notice was posted at the bulletin  
14 board in front of Village Hall on September 4, 2020.

15 The next exhibit is an Affidavit of  
16 Publication that the legal notice was published in the  
17 Oyster Bay Guardian on September 11, 2020.

18 The next exhibit is a document that confirms  
19 that the legal notice was published to the village  
20 website on September 3, 2020.

21 The next exhibit confirms that the legal  
22 notice was sent to village website NEWS subscribers on  
23 September 17, 2020.

24 The next exhibit is an Affidavit of Mailing  
25 from the applicant indicating that the Notice of Public

1 Hearing was mailed on September 4, 2020.

2 The final exhibit is notification from the  
3 Nassau County Planning Commission dated September 15  
4 that the matter is referred to the Village of Laurel  
5 Hollow Planning Board to take action as it deems  
6 appropriate.

7 Do we have a representative of the applicant  
8 to make a presentation?

9 MS. CUCCIA: Yes.

10 MR. AVRUTINE: Please give your name and  
11 address for the record.

12 MS. CUCCIA: Marisa and Richard Cuccia,  
13 26 Vista Drive, Laurel Hollow.

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

15 MS. CUCCIA: What am I supposed to proceed  
16 with?

17 MR. AVRUTINE: Explain to the Board exactly  
18 what you're trying to accomplish here and the reasons  
19 for it, please.

20 MS. CUCCIA: Okay.

21 We're looking to take down some trees so that  
22 we can do a planned landscape in the backyard. And what  
23 we did was, we removed a lot of brush throughout the  
24 woods. We had a lot of brush that was overgrown  
25 throughout the years. We've been living here about

1 25 years now and we want a more manicured look and we  
2 want to plant some specimen trees that we've been going  
3 looking around for with Grace Landscaping. We are  
4 working with Joe. We're looking to put some evergreens  
5 and some Kwanzan cherries, dogwoods, amongst some other  
6 varieties of trees, and also different types of bushes  
7 just to make the backyard more beautiful and less wooded  
8 I guess you'd say.

9 So, a lot of the trees that we were looking to  
10 take down, really we didn't pick them ourselves. We had  
11 the tree expert come over and he sort of said these are  
12 the trees that you probably should remove to put better  
13 trees or trees that are going to grow in time and not  
14 get choked out by the others because the canopy above  
15 was so shaded that we didn't have enough sunlight coming  
16 through to be able to put various bushes, other trees,  
17 flowers, and grass as well.

18 MR. CUCCIA: In addition, several trees are  
19 also dead already, one being the largest that we're  
20 taking down is a hazard to our house.

21 CHAIRMAN HADJANDREAS: Mrs. Cuccia, you  
22 mentioned you're working -- the landscape designer of  
23 record, who exactly are you working with?

24 MS. CUCCIA: It's Joe Grace. Joe Grace is the  
25 owner of Grace Landscaping and Design. They're in Lloyd

1 Harbor.

2 CHAIRMAN HADJANDREAS: The reason why I ask  
3 is, we have your plan for a preliminary landscape plan  
4 for, you know, some replacements that you mentioned.  
5 Typically what happens is, the landscape designer, when  
6 the plan is complete, has to sign off saying that  
7 everything's been planted in the ground and healthy and  
8 all that. So, we need to know the landscape designer  
9 because they are the designer of record.

10 MR. CUCCIA: He's familiar with the town.  
11 He's done a lot of work in Laurel Hollow over the years.

12 MS. CUCCIA: And I believe he was the one that  
13 submitted the preliminary design. Of course, we didn't  
14 do a full design yet because it's all based on whether  
15 or not we're able to get enough sunlight into the area  
16 to be able to plant the various bushes and other things.

17 CHAIRMAN HADJANDREAS: The Board did a site  
18 visit a week or so ago. One of the questions that came  
19 up was in regards to privacy in terms of, you know, when  
20 you remove trees it's not the only concern is in terms  
21 of your privacy but your neighbors' that now maybe  
22 you're opening up holes that weren't there previously.  
23 Are you planning on installing a fence? We saw some  
24 markings on the property line. It's not part of this  
25 plan. It doesn't have to be. It's just curiosity from

1 the Board if a fence is going to be installed and what  
2 type of fence.

3 MS. CUCCIA: We're looking to get a permit to  
4 do a chain-link fence around the back of the property  
5 just in the yard. And we're looking to put some type of  
6 hedges and bushes and other evergreens to create, you  
7 know, more privacy.

8 CHAIRMAN HADJANDREAS: More screening.

9 MS. CUCCIA: Yes, screening, of course.

10 CHAIRMAN HADJANDREAS: Because what the Board  
11 did notice in the site visit was even with the trees,  
12 that a lot of the trees that you're looking to remove  
13 have very little foliage and a very small canopy up top  
14 so they're not offering any screening or privacy at this  
15 time. And that was noticed by the Board. And I did  
16 notice the landscape plan that you put forth in it a lot  
17 more lower, more full-type shrubs and trees that would  
18 definitely enhance the privacy of your yard and your  
19 neighbors'.

20 MS. CUCCIA: Um-hum.

21 CHAIRMAN HADJANDREAS: Do any of the other  
22 Board members have any questions for the Cuccias?

23 MEMBER GALTIERI: My impression was the  
24 backyard looks beautiful. Obviously, it's very well  
25 attended, and I am sure that whatever gets replanted

1 will be in similar taste. So, the house looks great.

2 Your house is beautiful.

3 And I'm sure that what they do will be in line  
4 with that.

5 MS. CUCCIA: Thank you very much.

6 MEMBER GALTIERI: That's my opinion.

7 CHAIRMAN HADJANDREAS: And one other thing I  
8 want to mention is, everything that Mr. and Mrs. Cuccia  
9 want to do is in the rear of the property, nothing  
10 visible from the road, from the front of the house at  
11 all, and it is, you know, basically near or just outside  
12 of one of the property setbacks on the -- I'm not sure  
13 what side of the property that is, but they're affecting  
14 basically one side.

15 MS. CUCCIA: That's the west side, I believe.  
16 I think it's the west side of the property.

17 CHAIRMAN HADJANDREAS: Do any other Board  
18 members have any questions or concerns?

19 MEMBER JONES: I do not.

20 CHAIRMAN HADJANDREAS: Now one thing that was  
21 brought up by the village arborist, Elizabeth Bibla --  
22 and you're asking to cut down 19 trees. And we did  
23 notice that some of what you are asking for wouldn't  
24 even need to be part of a tree permit because of the  
25 size or they're actually dead, but we're calling it 19.

1 It's significantly less than that because a lot of the  
2 trees are under the size of the caliper required even to  
3 get a permit. And also, the dead ones don't need a  
4 permit, you just need to notify the village when you're  
5 removing a dead tree.

6 But the one thing that Ms. Bibla mentioned  
7 was, and we couldn't determine what this tree was and  
8 we're thinking -- you know which one it is -- the large  
9 shade tree noted as A-4 on the sketch attached to the  
10 application. This tree is a 30-inch Acer Norway maple.  
11 It has a large cavity at the base of the tree and the  
12 cavity is dying back. This is considered a hazard tree  
13 because it is in poor health and the proximity to the  
14 house and she recommends it to be removed. I don't  
15 think you had it as one of the ones that you are going  
16 to remove.

17 MEMBER ABRAMS: It's there. Chris, it's on  
18 the plan. It's marked to be removed. We were actually  
19 looking at that tree. That was the larger tree that had  
20 like a bed around it that was in a bed by itself, and it  
21 was dead.

22 CHAIRMAN HADJANDREAS: Okay. All right. So  
23 then that was part of the plan.

24 Any other questions or concerns from any of  
25 the Board members?



1 Does anybody from the public have any comments  
2 or questions about this application?

3 MR. LOMBARDO: Chris, this is Joe Lombardo.

4 And, Marisa, it's nice to meet you. We're  
5 your neighbors from across the yard.

6 We just wanted to ask, the reason why I'm  
7 here --

8 MR. AVRUTINE: I'm sorry to interrupt. Can  
9 you give me your address, please.

10 MR. LOMBARDO: 5 Waylor Lane.

11 MR. AVRUTINE: Thank you.

12 MR. LOMBARDO: So, I just wanted to understand  
13 a little bit better, if you don't mind, what you plan on  
14 doing, because it sounds like it is going to be mostly  
15 in the back, but what you plan on doing to maintain sort  
16 of the barrier between our yard and yours. Not that we  
17 don't want to see you guys, but it was nice when we had  
18 more of a shield. And I know you guys cleared out a lot  
19 of the brush and now it's much more empty. You can see  
20 into our house, I'm sure. We can see into yours.

21 MS. CUCCIA: When I'm looking in the back,  
22 where are you located? I know that the Abrams would be  
23 to my right and the far right corner is McBride. But  
24 I'm sorry, I'm not sure which one you are. Are you the  
25 house directly behind us with the pool?

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1 MR. LOMBARDO: Yes.

2 MS. CUCCIA: Okay. I know where you are.

3 Yeah, I'm not looking to take any trees along  
4 the back between your property and ours away. Except  
5 for one tree that was ribboned that is completely dead,  
6 we're not removing anything from there. And we will  
7 address that area to landscape eventually, but that has  
8 nothing to do with the tree removal.

9 MR. CUCCIA: We will be planting evergreens  
10 along the back part of the property.

11 CHAIRMAN HADJANDREAS: The tree that you're  
12 saying is dead, just so we can get our bearings on the  
13 plan, what number was that so I can figure out which  
14 neighbor we're talking about on the plan here?

15 MS. CUCCIA: A-4 is, if you look at A-4, the  
16 dead tree, the big dead tree, that one is in between my  
17 home and Abrams' home. And all of the trees that are  
18 alongside of the property are in between 26 vista and  
19 32 vista which is the Abrams' house. So Mr. Lombardo, I  
20 believe, is behind. It's --

21 MR. CUCCIA: So on the property line that's  
22 adjacent to Mr. Lombardo, there's two dead trees that  
23 are coming out now and that's it.

24 MR. LOMBARDO: That's all we wanted to  
25 understand because it already opened up a lot and I

1 realize that was just a lot of extra brush.

2 MS. CUCCIA: If you don't mind, I would like  
3 to ask you, I'm not sure if your property, I know where  
4 you are located, but we noticed when the landscapers  
5 removed the brush that on one area, and it might not be  
6 you, it might be the people to I guess your right, that  
7 there is like a rusted fence or something that's in  
8 there that could be a danger. I don't know whose  
9 property it's on.

10 MR. LOMBARDO: So if I'm looking at your house  
11 from my backyard, to my right?

12 MS. CUCCIA: Yes, correct.

13 MR. LOMBARDO: We'll take a look at it.

14 MS. CUCCIA: Okay. Because, you know, it  
15 didn't feel that we had any authority to touch it.

16 MR. CUCCIA: We enjoy our privacy as much as  
17 you do, and us restoring a buffer that's going to make  
18 both of us feel comfortable is definitely part of our  
19 landscape plan.

20 MR. LOMBARDO: That's all we were trying to  
21 understand. Thank you.

22 MS. CUCCIA: You're welcome.

23 CHAIRMAN HADJANDREAS: So one of the issues  
24 is, typically a landscape plan -- I understand that it's  
25 hard to draw a plan until you know what you're removing,

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1 you know, especially with screening. So you are  
2 highlighting, I don't know if -- I'm looking at your  
3 preliminary landscape plan and I'm not sure if the  
4 numbers, it says three Kwanzan cherries, so basically  
5 you're looking at planting about 15 trees that you  
6 highlight on this preliminary plan.

7 MS. CUCCIA: Absolutely.

8 CHAIRMAN HADJANDREAS: But you think there'll  
9 be significantly more or can you elaborate on that?

10 MS. CUCCIA: I'm definitely going to put 15  
11 trees in place of the 19 that are coming out. And in  
12 addition to that, I want to do hedges and evergreens  
13 along the property line to create the privacy. You  
14 know, that's what the goal is, to keep everybody you  
15 know, private and happy.

16 CHAIRMAN HADJANDREAS: Right. Now one thing,  
17 typically when the Board reviews a landscape plan, we  
18 can tie it to a building permit. So basically what  
19 happens is the process is we approve it, you know, we  
20 approve your landscape plan, and then it's tied to your  
21 building permit. What that means is, when you go to  
22 close out the permit, besides all the other inspections,  
23 electrical, plumbing, whatever inspections you have to  
24 get, what I mentioned earlier is the landscape designer  
25 of record has to sign off saying this landscape plan as

1 it was presented to the Board in terms of the numbers of  
2 what you told us you're going to plant has been planted,  
3 the trees are healthy and in the ground. And they  
4 attest to that and they self-certify, and then you're  
5 allowed to close out the permit. And that works great  
6 with the village because we know it gets done because  
7 people want to close out their permit, otherwise they  
8 face a lot of fines and penalties and whatnot.

9 The issue is, you do not have any kind of open  
10 permit and you do not need a, besides a tree permit  
11 which we can't tie this to, you do not need like a  
12 building permit. So what's happened in the past when  
13 this situation has arisen is basically we asked the  
14 homeowners to put up a deposit that you receive back  
15 when the plan is completed, when the landscaping that  
16 you're putting on here, never mind the hedges and the  
17 other stuff that you mentioned, what you committed to  
18 planting here on your plan dated -- there's no date on  
19 this, this is just your survey that you amended.

20 MS. CUCCIA: I think it was September 3.

21 CHAIRMAN HADJANDREAS: Yes, it was received by  
22 the village on September 3, 2020. So, that's how we've  
23 handled this situation in the past.

24 If the Board is so inclined to approve your  
25 application to remove the trees that you asked to

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1 remove, would you basically be amenable to putting up a  
2 deposit? We are going to discuss the dollar amount on  
3 the deposit.

4 Howard, I need some guidance on that.

5 MR. AVRUTINE: The Board has discretion. In  
6 the past, I think there's been a number in the range of  
7 \$2,500. Something of that nature.

8 MEMBER ABRAMS: I've got a question, Chris.  
9 This application doesn't have it checked that it's part  
10 of a more comprehensive landscape plan. And I think  
11 we've already ascertained that whether or not they  
12 submitted a plan to do landscaping, that the trees that  
13 they're requesting to come down are either dead, under  
14 the size limit that's required for a permit or look like  
15 they're dying and you would want to take them down  
16 anyway.

17 CHAIRMAN HADJANDREAS: No, I agree.

18 MEMBER ABRAMS: So I understand what you're  
19 saying. And we have scenarios where people are asking  
20 to take down trees that are somewhat healthy and they  
21 want just a different landscape plan or they want  
22 different types of trees there and taking them down  
23 would create an opening on their property where their  
24 neighbors would be able to see. Then we want to  
25 understand what are you replacing them with because

1 you're going from an area where you have privacy to no  
2 privacy if you have no landscaping plan. But they've  
3 got the privacy they've got because-- they don't have  
4 much privacy there because these trees are already  
5 barren and dead. So I don't know. I'm just of the  
6 opinion I'm not sure that for this situation with this  
7 applicant that if they didn't submit a landscape plan  
8 I'm not sure that it biases the Planning Board one way  
9 or another whether there's a landscape plan or not for  
10 what they're trying to remove.

11 CHAIRMAN HADJANDREAS: I understand. And I  
12 just think of the precedent in terms of when we have had  
13 a significant removal. And again, I do agree with you  
14 that the number sounds high, but if I was to go back and  
15 adjust that tree permit to be more accurate I think we'd  
16 be in the low -- we'd probably be in the 10/12 range,  
17 not the 19 range. Again, it is what it is. To go back  
18 and change it now is kind of after the fact. That's why  
19 I think a nominal deposit is what Howard had mentioned  
20 because there is some screening issues. You know, we  
21 did notice how it's wide open to the neighbors. We  
22 thought there would be a more of a privacy fence. A  
23 chain-link is not going to offer any kind of screening  
24 whatsoever. The planting that you're going to do is.  
25 And a lot of what you're looking at doing, the redbuds,

1 you know, the trees that you have here on the  
2 preliminary will go a long way to adding the privacy  
3 that, you know, you and your neighbors want.

4           Again, I don't think we're talking about a big  
5 number here. In the past when it was a complete  
6 landscape plan and we've had to put -- and we had the  
7 homeowner put up a deposit, you know, I was kind of  
8 shocked that it went through, but it was a very, very  
9 big number. I don't think we're talking about that kind  
10 of number.

11           Howard, you had mentioned something. If you  
12 want to elaborate what you were saying earlier.

13           MR. AVRUTINE: Well, again, it's really a  
14 function of the scope of the project, so the Board has  
15 discretion in terms of the amount of the deposit. And  
16 as the Chairman mentioned, upon certification by  
17 Mr. Grace, the landscaper, that the work has been  
18 performed in accordance with the approved plan, the  
19 deposit would be returned to the applicant.

20           MS. CUCCIA: My only concern is that winter is  
21 coming and that's one --

22           MR. CUCCIA: Probably most of these trees  
23 after being cut down will be already after the fact that  
24 you can plant trees for the season. So we probably  
25 wouldn't be putting in new trees until the spring at



1 this point.

2 CHAIRMAN HADJANDREAS: well, again, the  
3 deposit can be, you know, if this gets approved tonight  
4 and you delay doing the work until the spring, you  
5 wouldn't have to put up the deposit until you wanted to  
6 remove the trees and then plant.

7 MR. CUCCIA: He's ready to remove the trees  
8 now. That's not the issue. But to replant, there's  
9 only certain windows of the year to do healthy planting  
10 of new trees, and that window is almost gone. It's the  
11 fall already.

12 MS. CUCCIA: And the other question is that  
13 what he said to me was that the tree farms out east have  
14 certain trees that are available at certain times of  
15 year and slim pickings are coming at this point in time  
16 because it is late in the season. If you go early  
17 March, you have a lot more to choose from. So I would  
18 hate to have to take whatever is available just to  
19 fulfill the landscape plan because I kind of really know  
20 what I want. And the variety of cherry trees, the Okame  
21 cherry, the Kwanzan cherries, the specific dogwood trees  
22 that we've already seen in person, if they're not  
23 available I don't want have to just take any substitute  
24 at this point in time.

25 CHAIRMAN HADJANDREAS: we don't want you to do

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1 anything you don't want to do at your own house.

2 MS. CUCCIA: The other thing is, I'm looking  
3 to absolutely replace the trees at this point.  
4 Honestly, I have to be completely honest, I am not  
5 looking to get into a hundred thousand dollars worth of  
6 landscape overnight. We're looking to do it in time.  
7 And as far as all the planting being done at once, I'm  
8 not ready to do everything all at once. That's why we  
9 were going to replace the trees first and then go on and  
10 do the rest and stage it in that fashion that it  
11 wouldn't be --

12 CHAIRMAN HADJANDREAS: And the deposit that I  
13 mentioned, it wouldn't be for the complete landscape  
14 plan or what you want to do eventually. It would just  
15 be what you've highlighted on the plan that you  
16 submitted. And again, the Board in the past, you gave  
17 us a number of about I believe 15 trees that you're  
18 planning on at minimum planting --

19 MS. CUCCIA: Yes.

20 CHAIRMAN HADJANDREAS: -- and some varieties,  
21 and really, you know, again it's your house and your  
22 backyard and we're not here to say, no, we want that  
23 tree there, that's out of the question, but the numbers  
24 is where we kind of --

25 So, I want to ask the rest of the Board

1 members their thoughts on a nominal deposit as we've  
2 done in the past. Howard had mentioned \$2,500. What is  
3 the other Board members thoughts on that? Do you think  
4 it's necessary or do you think --

5 MEMBER GALTIERI: Chris, just clear up a  
6 little confusion for me. When we looked at this  
7 application, it was for clearing trees for various  
8 reasons, right. Some of them are dead. Some of them  
9 wanted to add some space for future plantings. I didn't  
10 see a landscape plan attached to this thing, right. Is  
11 there one that I missed?

12 CHAIRMAN HADJANDREAS: It was on the survey  
13 that showed the -- it was part of the application, a  
14 survey showing -- you know, it wasn't a typical  
15 landscape plan. It was just a survey showing, in the  
16 upper right corner, showing an area of circles and  
17 numbers in terms of the trees that they want to plant.  
18 We had discussed it at the site visit.

19 MEMBER GALTIERI: Right. But I didn't see a  
20 Joe Grace formalized landscape plan attached to this.

21 MS. CUCCIA: No.

22 MR. CUCCIA: Because we were asked if we were  
23 to add any trees what we would add and where they would  
24 be, and we could have put nothing and just requested to  
25 cut trees down and then we wouldn't be asked for a

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1 deposit. So I don't really feel it's fair because we  
2 were up front saying we would like to replace with these  
3 trees. Which, by the way, the arborist said you picked  
4 unbelievably great selections, and I have to be  
5 penalized for putting it down when we didn't have to.

6 MEMBER ABRAMS: The plan also says, it's  
7 preliminary and enhanced landscape plan is being drawn  
8 to include many other plantings. We don't know where  
9 any of that is. When we walked the property, I'm not  
10 sure any of us looked at what was planned to go in  
11 there. We knew that they were going to get replaced,  
12 but I didn't think that at that instant in time we were  
13 also asking the Cuccias to make a commitment on what  
14 that landscape plan looked like because it looked like  
15 they were justified to remove the trees regardless of  
16 whether they had a landscape plan or not.

17 MEMBER GALTIERI: Chris, my query or my  
18 question is, taking a deposit on a landscape plan that  
19 doesn't quite exist, I don't feel comfortable with that.

20 CHAIRMAN HADJANDREAS: Okay.  
21 Nancy?

22 MEMBER JONES: I kind of agree with Jim at  
23 this point.

24 CHAIRMAN HADJANDREAS: So, Howard, I think  
25 we're in agreement.

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1           MEMBER GALTIERI: I think at such time if they  
2 are going to put a landscape plan in, you know, that's  
3 something we could look at at some point in time as to  
4 whether or not it falls within our jurisdiction, our  
5 agreement of what should go in. But to take a  
6 deposit -- I mean, if Joe Grace comes back and says I'm  
7 going to put one tree in, I mean, what are you putting a  
8 deposit against? You've got to have the complete set  
9 for me to be comfortable to take a deposit.

10           MR. AVRUTINE: Let me just explain. So if the  
11 Board wishes to, the Board can approve the application  
12 to remove the trees subject to submission of a landscape  
13 plan to the satisfaction of the Planning Board. That's  
14 fine. However, just so the Board is aware, without the  
15 deposit, the ability to enforce that, you know, becomes  
16 a little more difficult because once the trees are taken  
17 down, the trees are taken down. But you could put that  
18 condition in and it could be given a time frame, if the  
19 Board were inclined to do that, for submission of the  
20 comprehensive landscape plan, and that if you want to  
21 set up parameters, I don't know if the Board wants to  
22 set up parameters for the work to be done, or just a  
23 submission of a plan for the Board to review. But it  
24 becomes an enforcement issue if the plan is never  
25 submitted to the Board.

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1                   CHAIRMAN HADJANDREAS: Howard, from what  
2 Mrs. Cuccia is saying, I don't know if they're  
3 necessarily going to draw up, you know, and want to pay  
4 the money to draw up a plan because I think they're  
5 going to work with their arborist and say we want this  
6 tree here, we want that tree there. And then have to  
7 pay someone to formalize that, and it is not enforceable  
8 anyway, I think that's an expense for the homeowner.

9                   MR. AVRUTINE: well, of course. Then in this  
10 case --

11                   CHAIRMAN HADJANDREAS: A deposit is something  
12 you're getting back.

13                   MR. AVRUTINE: In this case then the Board may  
14 just want to consider considering the application to  
15 remove the trees and leave it at that. That's your  
16 other option.

17                   CHAIRMAN HADJANDREAS: And again, I want to  
18 clarify. In the past when we've done a deposit, it was  
19 more where it wasn't the backyard. It was in a setback  
20 in the front. It was very visible and we wanted to  
21 ensure that stuff is going to get planted and the proper  
22 screening was going to be replaced.

23                   MEMBER ABRAMS: Absolutely.

24                   CHAIRMAN HADJANDREAS: So I think we can --

25                   MEMBER ABRAMS: Chris, I absolutely agree. If

1 we were in the front of the house we'd have an entirely  
2 different story here. But we largely have dead or poor  
3 looking trees that are in the back side of the house,  
4 and I think just getting rid of them, even for the  
5 neighbors that are able to see them, I think they'd be  
6 happy to see dead trees gone.

7 CHAIRMAN HADJANDREAS: And one thing, I'm not  
8 sure if the neighbor is still on the Zoom or not, but  
9 one thing that was highlighted by the arborist was that  
10 the larger trees are not being removed and these are  
11 basically understory trees that they're asking to remove  
12 and with very little or no canopy in many instances. So  
13 the over, the larger trees, again, are staying and the  
14 small trees are what's in that number of 19.

15 So at this point, I guess we'll close this  
16 hearing.

17 MR. AVRUTINE: If everyone is done with  
18 comment there would be a motion to close the public  
19 hearing.

20 MEMBER JONES: I'll motion.

21 MR. AVRUTINE: Member Jones making the motion.  
22 May we have a second?

23 MEMBER ABRAMS: Second.

24 MR. AVRUTINE: That was Member Abrams.

25 All in favor?

## Proceedings

1 CHAIRMAN HADJANDREAS: Aye.

2 MEMBER ABRAMS: Aye.

3 MEMBER JONES: Aye.

4 MEMBER GALTIERI: Aye.

5 MR. AVRUTINE: Let the record reflect that  
6 this matter is deemed Type II under the New York State  
7 Environmental Quality Review Act requiring no further  
8 environmental review.

9 would one of the members like to make a motion  
10 on the application?

11 Member Galtieri moving to approve as  
12 submitted?

13 MEMBER GALTIERI: Yes.

14 MR. AVRUTINE: A second?

15 MEMBER ABRAMS: I second.

16 MR. AVRUTINE: That's Member Abrams.

17 All in favor?

18 CHAIRMAN HADJANDREAS: Aye.

19 MEMBER ABRAMS: Aye.

20 MEMBER JONES: Aye.

21 MEMBER GALTIERI: Aye.

22 (Continued on next page.)

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Proceedings

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MR. AVRUTINE: Approved as submitted.

MS. CUCCIA: Thank you.

MR. CUCCIA: 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  
Official Court Reporter