

Richard Brummel

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8-5-13

Spencer Kanis, Chairman and Board Members
East Hills Architectural Review Board
East Hills Village Hall
209 Harbor Hill Rd.
East Hills, NY 11576

Dear Mr. Kanis and Board Members:

This letter has three pages.

I wish to submit written testimony as follows for the hearing tonight.

I am an East Hills resident, having grown up here beginning in 1960 and currently residing at my childhood home at 15 Laurel Lane in Norgate.

I am an organizer of the Keep East Hills Green Civic Association, writer of the website Planet-in-Peril.org, environmental advocate, and environmental-defense litigant. I am also a resident who enjoys and spends substantial time visiting and enjoying the flora and fauna throughout the community of East Hills.

I examined the files for this meeting 8/5/13 and visited 22 Spring Hill Rd., 78 Old Farm Rd., 16 Talley Road, 90 Fir Drove, 26 Rock Hill Road.

I register the following objections individually, in addition to the overall Due Process objection to all the applications noted in my letter to the village of October 30, 2012 that without full access to the property at issue the public (and experts like certified arborist Richard Oberlander -- a founding member of your Board), cannot fully knowledgeably testify to the issues at play in the various applications.

22 Spring Hill Road -- The trees proposed for removal were not marked or visible from the street, hence no opinion could reasonably be rendered for them, particularly the tree in the rear. The application was defective in lacking any dimensions of the tress, further impeding analysis. The drawings supplied did not support the claim of conflict of tree 1 or 3 with the planned work. We cannot afford to lose large mature healthy, or growing trees that have a good potential future. What appears to be a birch in the rear

is a growing tree with a long future as an asset to the community. It appears the larger tree in the rear may be a towering tree with significant impacts on the area. Insofar as there is no arborist or tree warden report as required the application is defective, and lacks important information. I therefore object to any of the trees being removed. Particularly given the highly elective nature of the work.

78 Old Farm Road -- There was no landscaping plan in the file, only a site plan; the trees were not ribboned; the proposal to remove -- it appears -- two 8" oaks, one 30" oak, another 8" oak, and confusing descriptions of other trees ranging from 8" to 24" "trees were removed not by owner" contributes to the incoherence of the application. Further there is no tree removal application or Tree Warden report. The building's application lacks original dimensions and % increases proposed rendering the application defective and difficult to evaluate. I therefore object to any trees being removed as well as the building application.

16 Talley Road -- The proposed house is another horrible "Hampton's" style house that does not belong here. I spoke to two neighbors who strongly opposed the proposal based on size. The new house is 50% larger and does not fit. In addition numerous beautiful trees are targeted for unnecessary removal -- several simply to shift the driveway from one side to another -- a dubious tactic this builder also used at 37 Laurel Lane with the resulting loss of massive and beautiful healthy trees -- one by unexpected damage caused to a neighbor's wonderful Beech tree, that had to be destroyed. As it is the builder targets a 26" red Oak, a 24" maple, an 18" honey locust and others. Fully three trees on the right side of the house are targeted apparently just for the shifting driveway. How is this a reasonable balancing of needs with the Village's desire to "protect the tree canopy for current and future generations"?

I strongly object to the house and the tree removals based on the Village's own stated community preservation goals.

90 Fir Drive -- Unlike several other houses this one as proposed is far more expensive and attractive. It is the type of architecture the ARB ordinance contemplates -- unlike the garbage houses typically approved. And its cost reflects that -- \$900,000 versus \$500-\$650,000.

Nevertheless, the house is too large and necessitates many tree removals. The trees were not ribboned on a recent visit 8/4 so could not be evaluated. The landscape plan is incoherent -- no trees are clearly identified by species or size; there is no tree removal application. I went through the entire 5" file and found no tree details or such application. There is also no Tree Warden report, The trees on this property are unusually beautiful, mostly oaks and strongly deserve protection.

I strongly oppose this entire application due to the risk of the trees and the proposed removal of about 9 trees. A neighbor shared her concerns about oversize houses. This proposed house of 5142 square feet cannot be accurately judged because current dimensions and proposed increases are missing from the application.

26 Rock Hill Road -- There are no original home lot coverage dimensions or increased percentage so it is difficult to judge the application. There was no landscape plan in the

file. The house which I visited was somewhat a shambles, but the trees were strong and healthy -- a beautiful pine on the left side, many healthy cedars in front, a beautiful pine on the right side. These trees should not be removed, but preserved. The community needs them and the birds and other animals here need them.

The application was missing lot coverage dimensions making the information incomplete. There was no Tree Warden report.

I therefore object to the tree removals. The size of the house is too large for the lot -- over a 50% increase in size. I therefore oppose it.

5 Lakeville Court -- missing landscape plan, unable to determine impacts on trees. I therefore object to the application.

6 Maplewood Ln. -- missing landscape plan, unable to determine impacts on trees. I therefore object to the application.

145 Elm Drive -- missing landscape plan, unable to determine impacts on trees. I therefore object to the application.

65 Tara Drive -- I support my neighbors who oppose so large a new construction next to their home of many years. A 100+ square foot addition and a 250 square foot deck is unwelcome to them, and their concerns are the legitimate subject of this ARB board.

In my prior written testimony to you I have referenced the Village code language embracing the desire to protect the "tree canopy" for its numerous advantages and the Village code statements describing the need to preserve the neighborhood harmony and architectural quality. The objections above reflect my strong belief that these applications violate those principles in the ways specified, and/or are procedurally defective.

I further reiterate, as I did in prior testimony, that in each case where trees are to be removed, absent Tree Warden reports as specified in the ARB statute the proceedings are defective.

I urge you to uphold the laws of this Village and preserve trees and the community character and quality.

Thank you.

Richard Brummel
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