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East Hills Architectural Review Board
East Hills Village Hall
209 Harbor Hill Rd.
East Hills, NY 11576

Dear Chairman and Board Members:

This written testimony of five pages supplements my verbal testimony. I object as I have many times past to the reckless and unnecessary destruction of trees in East Hills in violation of the Tree Protection law of this Village and to the approval and building of large out of character houses here. Many of the applications before you tonight request such permissions. I note for some animals indigenous to East Hills this is breeding season, and I repeat my request you have trees and properties evaluated for wildlife before allowing trees and shrubs to be destroyed.

I am an East Hills resident, a native of the Village having grown up here beginning in 1960, and currently re-reside in my childhood home at 15 Laurel Lane since 2009. I am the organizer of the Keep East Hills Green Civic Association, the writer of the website Planet-in-Peril.org, an environmental advocate and organizer, and an environmental-defense litigant. I am also a resident who enjoys and spends substantial time visiting and enjoying the flora and fauna throughout the Village.

I looked at the files last Thursday and the Tree Health reports were not ready. I have not had time to go today. I request the Board read the Tree Health reports into the record so the public and me can know their content.

A. WILDLIFE LIVING IN TREES AT ISSUE:

Preliminarily, in the interest of environmental protection and preservation, and humane public policy, I ask that in discharging its role under the Village's Tree Preservation Law, this Board before it allows any removal of a healthy tree, or one that is healthy enough to be restored to health with proper care, should require testimony and or a report that should indicate if any wildlife lives in the subject tree, and thus depends on it for shelter, and if so what plan is made to protect the animal(s), any young in nests, and to relocate them, particularly in colder parts of the year.

And furthermore that tonight such an inquiry into the animals living in a tree should be made in each case, and its findings should cause the Board to deny any application where such a question is not fully answered is is answered such that in the affirmative such animals do live in the subject tree.

I have made this request in several prior meetings as well. I believe your mandate to protect the environment allows you to take this into consideration. Your Tree Law specifically indicate the value of trees for habitat for wildlife. You cannot discharge this duty without knowing how wildlife is directly affected.

B. PUBLIC ACCESS TO VIEW PROPERTIES AT ISSUE

I now also I have requested on multiple occasions that this Board make arrangements to allow the public to participate in your site inspections so we may also see what trees are at risk and the nature of the property in order to fully testify here. This has never been permitted. It is impossible to view many trees subject to the Board's consideration but not fully visible from the street.

C. NON-PUBLIC "MEETINGS" OF ARB AT SITE INSPECTIONS

I note that the presence of a quorum on your Board-only site inspections requires an open meetings access by the public as well. I further note as I stated in prior recent meetings it appears you are deliberating privately in violation of the state Open Meetings Law, whether in the site inspection or otherwise. I make this inference based on your seeming tacit understanding on various issues that have arise in for specific applications, such as lack of tree markings or objectionability of specific architectural features.

D. LACK OF ONLINE DISCLOSURE OF APPLICATION FILES

Further the Board's policy of including only vague general information "a house to be demolished....rebuilt" etc. in letters to neighbors eliciting testimony lacks key information of new house size and design, trees to be removed, etc.

Further despite state law requiring relevant info to be published on the web this practice is entirely absent from Village proceedings of all kinds including the ARB. The hours to review documents 10-3:30 PM exclude people who work 9-5 -- the vast majority of Village residents who work. Further the window when the documents are available is unnecessarily short and not codified.

I have spoken often with residents who had no idea what houses or tree removals were being proposed because the letters they received were so non-specific and the files were inconvenient for them to see; in many cases only my visit gave them critical information.

E. MISSING INFORMATION IN APPLICATIONS

All ARB Applications for the meeting (as is usual at every meeting) that involve demolition lack the current dimensions of the the home to be re-built. This is an issue I have raised repeatedly in the past as well, in writing and verbally. As such they are defective and deprive the board and the public of the opportunity clearly anticipated in the form to compare the proposed and existing homes -- an important metric to render an informed judgment on the appropriateness of the proposal. This defect is in addition to the absence of tree warden reports, required by the Tree Protection Law (Village Code section 186-5(c)).

F. SICK AND DYING TREES IN EAST HILLS AND GLOBAL CRISIS

Throughout East Hills and the area there is a wave of sick and dying trees. Staff and professionals have confirmed this issue. The current semi-drought conditions, global warming, Hurricane Sandy and other issues likely are causing this problem. The remaining healthy trees are that much more precious given the current circumstances. Thus the ARB should be carefully weighing every tree removal application and in compliance with village law, especially in the current circumstances, lean heavily toward preserving every tree possible.

The Pope as well as the President have urged us to think about the planet and look to our duty to preserve and enhance nature. In East Hills and around Long Island we have larger opulent homes -- as well as traffic and pollution from all the over-consumption we are generating. What we lack and is critically dwindling is Nature and trees. Nature is especially dwindling in the developed sub-divisions like East Hills that are re-developing -- with over-lax permission from the ARB and the like -- and stuffing more people and construction into their borders. It is time to say "enough" and emphasize preservation -- as the laws of East Hills have clearly commanded since the mid-2000's (see attached).

G. LACK OF TREE WARDEN REPORTS

Your Tree Protection law (Village Code section 186-5(c)) requires a tree warden report on the impact etc. of applications for trees to be removed. These reports are absent from the application files that I viewed as they have been absent in my requests over the past two to three years. The absence is unlawful and deprives the board and the public of crucial information on tree proposals.

I note the arborist reports you now have seemed to routinely generate are wholly inadequate because they state nothing of the value or impact of trees proposed for removal as the village tree law requires. They merely state that for instance the reasons for removal if sustained will logically necessitate removal, but nothing of the impact of the removal on the property the ecology the neighbors etc. as the Tree Warden report would do if followed.

H. 'TREE HEALTH INC.' (ARBORIST) DETERMINATIONS

I have consulted with Richard Oberlander and read many reports of Tree Health the Village arborist. I note they have no category for tree-rehabilitation, rather every tree is in perfect health or should be removed. Its reports while helpful appear to be overly skewed to tree removals for any possible issue of a tree's condition. The case of April 4, 2016 report on 14 Peacock is instructive: the new resident told Richard Oberlander and me that he told his arborist that his preference was to remove trees even if they were salvageable. He wanted more sunlight. Tree Health rejected two of his arborist's designees as completely untrue but sustained seven of them -- although Richard Oberlander found all the trees worthy of saving. This pattern of liberally allowing tree removals is not protective of the environment and should be re-calibrated.

160 Redwood Dr:

A highly destructive application I strongly oppose to cut down EIGHTEEN trees, many of them magnificent healthy soaring trees, simply to expand the footprint of the house and grade massively, it appears. No tree permit application was present in the ARB folder I inspected so the actual "justifications" is not known. But as seen from the photos this proposal will remove an amazing and beautiful collection of trees that the prior owner obviously carefully tended and maintained. The new house is proposed for over 6000 square feet - but it is impossible to specify the change in size as the original dimensions are omitted from the application. It appears to be at least a doubling of the house. As I repeatedly tell the ARB, the trees are homes to wildlife and should be evaluated for their impact on local wildlife as part of the process. Surely these trees provide rich habitat for some local animals. A panoramic photo of the front of the house shows trees all along the roofline. It appears that every one of those trees are proposed for removal. This creates negative impact on the street. In addition to the absence of the tree removal application there is no Tree Warden Report in the file, despite its requirement by the Village code. I strongly oppose the application. I spoke to several neighbors who were either explicitly or implicitly dismayed by this proposal.

Paradoxically the remarkable health of the trees attests to scrupulous care and maintenance by the owner. One neighbor told me the lady who lived there was dedicated to her trees and passed away. Such a destructive plan as this one would be an insult to her memory.

After the "anniversary" of East Hills it seems the least we can do is respect the heritage of the Village and its long-time but departed residents.

113 Revere Rd.:

The newly proposed house is too large and overbearing still. You are putting lipstick on a pig. (Though a pig is a nice animal, this is not a nice addition too the neighborhood.) I pass by this house innumerable times. I have appreciated the natural greenery that has grown there and is now undoubtedly home to many animals driven out of other places where trees have been lost or have been cut down. I note that you last meeting approved a massive new house at 35 Deerpath which will damage the neighborhood character, and the removal of one majestic front Oaks for a driveway expansion that will reduce habitat and mitigation of CO2 in the atmosphere.

The proposed house is attractive but out of character and far too large. The removal of vegetation and trees is destructive. There are no original dimensions in the ARB application - the spaces are empty. It's defective. There was still no Tree Health independent tree report nor a Tree Warden report last Thursday. I strongly oppose the application.

If any trees are to be removed there must be a Tree Health report, and other such supporting documents of which to date I have seen none.

80 Heather Dr.:

This property has already lost many beautiful trees from the initial application a year ago. More trees were proposed (and probably approved) in August for removal, and now the Applicant

wants to finish the dirty job of destroying all the natural beauty here. The ARB law calls for houses to respect the topography of the site (Vill. Code section 271-186-A-4) -- this house is certainly not doing so, and this activity should be discouraged. If the ARB passes the swimming pool related trees to the Zoning Board I hope the Board will explain the damage already done by the ten-plus tree removals already allowed so the ZBA is well-informed. The longtime neighbor whose home overlooks the site from Ash Drive told me she was pained by the loss of what she called a "nature preserve" in the back and surely there are many animals there. The grounds under the trees are oddly full of litter but it could be cared for or allowed to grow underbrush. The ARB recklessly approved the removal of about seven trees in 2015, and (we believe) another two trees in August. Now the applicant is back to finish off destroying almost every tree on the property, this time for a swimming pool etc. The Board is likely to refuse the trees for the swimming pool -- which is under the authority of the zoning appeals board (for a variance) -- but the Board has proved far too 'accommodating' to other such requests. Our arborist felt many of the trees previously removed were not properly reviewed and should have been left alive, including magnificent Tulip trees. There is no Tree Warden Report in the file, despite its requirement by the Village code. I strongly oppose the application.

115 Sycamore:

The applicant, who recently demolished a perfectly good house and destroyed (I believe) two beautiful trees is now returning to destroy two more massive Oaks that appear to be in perfect health. There is no Tree Warden Report in the file, despite its requirement by the Village code. I strongly oppose the application.

Respectfully,

SIGNED

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