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Mayor and Village Trustees  
Village of East Hills  
209 Harbor Hill Road  
East Hills, NY 11576

To the Mayor and Board of Trustees --

The attached petition represents about seven dozen residents who wished to join in strongly urging you to act to reform the village tree and/or building and zoning rules to protect our neighborhoods from the over-development and tree loss which many of your neighbors feel is currently occurring.

I spent only two weekends, about 20 hours in total, visiting a few hundred houses in almost all neighborhoods that comprise East Hills -- Country Estates, Canterbury Woods, Fairfield Park, Lakeville Estates, Nob Hill, Norgate, North Woods, and Strathmore -- seeking support for the changes outlined in the petition.

Not everyone is in agreement, I quickly discovered. But as this petition shows there are a very considerable number of residents, among them the dozens who signed this petition, who are very unhappy with what you now must realize is going occurring on our streets:

To wit, developers are clear-cutting lots. New residents are doing the same. New houses dwarf old ones and change the harmony of streets. New houses impose upon their neighbors, robbing their privacy and tranquillity. Construction is rampant, an unwelcome presence. And every old home is a target for real-estate profiteers, seeking to exploit every weakness in the building laws and practices.

Some people did say the current situation is not objectionable, that it is progress, it's money, it's freedom. I encountered many residents who declined to sign, about one of two or one of three. Of those perhaps half said they felt aggressive development was good for one reason or another.

So you might have a dilemma, but I will address that issue below.

But many residents have lived here for decades and adamantly do not want the present situation to continue. They see the new development destroying the greenery they prize, the spaciousness that is supposed to characterize this community, the privacy they wish to enjoy, the aesthetic harmony they have expected.

In a broader environmental sense that some agree with, the loss of trees destroys one of the best tools we have to fight global warming. We in East Hills consume a lot -- commuting, vacationing, living in general. We are contributing a lot to global warming.

Our trees are a down-payment on reducing our impact – until we destroy them. and a new 3” tree is not going to do much to help.

The petition lists many ideas for addressing these issues which I hope you will read. (Underpinning the other issues is the lack of a Village Administrator to monitor policies and problems and watch that all laws are administered consistently. The current staff cannot do its job and administer itself, and it is not trained to do it either.)

But I am convinced of this:

East Hills cannot save its trees without stopping the overbuilding. As I have seen at 37 Laurel Lane, even “preserved” trees are being destroyed because their roots have been destroyed by the huge foundation – running from property-line to property-line. (Even trees on neighboring properties have had their roots destroyed!)

The foundations destroy roots. The rules for sanitary and drainage systems seem oblivious to the destruction they cause to trees and roots. (There must be alternatives found!) A builder I spoke to agreed. He said it is an odd trade-off to kill trees in order to have better drainage, considering how the trees are needed for all to function well too. I want to close by addressing the “dilemma” you face because not “all” residents agree with stricter laws.

The petition clearly shows that a substantial group of residents, typically those who have lived in East Hills for many decades, feel very aggrieved their homes and the community in which they have invested large parts of their lives are being damaged in ways that zoning and tree laws clearly promised to prevent.

People have had a “reasonable expectation” that the East Hills character and qualities they valued would remain intact, because village laws clearly promised to preserve “neighborhood character” and a beautiful green environment, among other attributes.

That status quo should not have been changed without the consent of the residents. Far from consenting to any change, the laws written in their name promise to prevent that change. To understand the will of the residents of East Hills one has only to read the laws made in their name -- and make sure they are followed:

The Architectural Review law states in part -- ,

Assure the design and location of any proposed building, or the addition, alteration or reconstruction of any existing building, is in harmony with the existing topography of its site and the existing building as well as the neighboring properties; Discourage and prevent any design that would adversely affect or cause the diminution in value of neighboring property, whether improved or unimproved; and Prevent design and appearances which are unnecessarily offensive to visual sensibilities, which impair the use, value, aesthetics or desirability of neighboring properties and/or the general welfare of the community at large. (Village Code section 271-186 paragraphs 4-6)

The Tree Preservation and Protection Law states in part:

It is the further intent of the Village to have trees generally continue to stabilize the soil and control water pollution by preventing soil erosion and flooding, absorbing air pollution, providing oxygen, yielding advantageous micro-climatic effects, have intrinsic aesthetic qualities, preserve and enhance property values, offer a natural barrier to noise, provide privacy, and provide a natural habitat for wildlife, and that the removal of trees deprives the residents of the Village of these benefits and disrupts fundamental ecological systems of which trees are an integral part. (Village Code section 186-1 paragraph C)

The burden should be on those who would defend and promote this new pattern of tree-cutting and massive building to seek support of residents to change the laws, and then let them fairly compensate those who have invested their tax dollars and lives in their homes, friends, local institutions, friends and families over decades as residents here in the expectation that East Hills would not be degraded and transformed without their consent.

I urge village officials to fully acknowledge the problems, to reach out to residents who have expressed their opinions in this petition, to incorporate its requests in new laws and practices, and to earn again the trust that residents hope they safely expect of their village leaders.

Sincerely,

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PS I would like to suggest a specific issue that I only learned of after the petition was being circulated, and that is the damage inflicted by untrained tree-care practitioners in pruning trees. It was suggested to me that I urge the village to require only certified arborists to supervise or perform tree pruning, and therefore I strongly suggest that now. You have only to look at a village tree permit for 8 Talley Road, issued 3/29/2011 to see how poor pruning destroys trees – in this case four of them.