

Village of Mamaroneck Tree Committee
February 7, 2024 Agenda

***Approval of the January 3, 2024 Minutes** (Attachment 1)

***Comments from Residents** (*Please limit in-person comments to 3 minutes*)

***Correspondence**

- 130 Beach, Resident's Hopes for 2024 (Attachment 2)

***Old Business**

VOM Inspection for Maintenance or Removal *Please provide street numbers when reporting tree-related issues*

- VOM trees for inspection
<https://docs.google.com/spreadsheets/d/1lg-QtdV6So5hl4XDm4Usf8jghZXhA-9ZIYpySaxYjVU/edit>
- Shore Acres Drive Bird Sanctuary – trees pruned or removed for safety; 5 trees of heaven removed

New Trees

- Spring list in formation
- Bishop St trees will be planted in the Spring due to VOM construction needs
- Free tree flyer not ready in time for spring planting
 - o Flyer will be distributed as soon as available, trees will be offered for fall planting

Tree Law

- Response of Village Judges to letters from Tree Committee regarding tree law fines and replanting requirement (Attachment 3)
- Appeals of Clearcutting Fines at 859 Mamaroneck Ave & 951 E. Boston Post Road (Attachment 4)
- **Report tree removals**
 - o Business hours, Building Dept **(914) 777-7731**
 - o After hours & weekends, Police **(914) 777-1122**

Heritage Trees

- Chris Hillyer update
 - o Correspondence about Heritage Tree Program concept (Attachment 5)
 - o DRAFT outline of Heritage Tree Program concept (Attachment 6)
- Letter to BOT recommending pruning for Tompkins Farm Oak

***New Business**

Follow Up Procedure for Replanting Requirements (Attachment 7)

417 N. Barry appeal of permit application (Attachments 8 & 9)

Are there state grants available for sidewalk replacements in underserved neighborhoods?

Program ideas

- Possible children's tree programs / library programs

***Other Business**

***Calendar Notes**

- Next meeting Wednesday, March 6, 7:30 pm
- Spring tree walk, May 5, 1:00 pm, Otter Creek Preserve, Taylor Lane entrance
- Fall tree walk, October 27, 1:00 pm, location TBA

Attachment 1
Village of Mamaroneck Tree Committee
DRAFT 3 January 2024 Minutes

The meeting was convened at 7:40 p.m.

***Present** – Beverley Sherrid, Leilani Yizar-Reid, Lilia Ramos-Dries, Sara Mignano, Michelle Goodman, Marlene Star

***Approval of January 3, 2023 Minutes** VOTE approved

***Comments from Residents** *(Please limit in-person comments to 3 minutes)*

None present

***Correspondence Review**

None received

***Old Business**

VOM Trees for Inspection

- Lilia Ramos-Dries presented google doc for access by all committee members

New Trees

- Fall planting discussed

Structural soil under paving discussed

***New Business**

Tree Committee logo presented by Trustee Liaison, accepted by committee with thanks

New programing

- Committee to consider possible children's tree programs

***Other Business**

The meeting was adjourned at 8:59 p.m

Attachment 2
130 Beach, Resident's Hopes for 2024

Dear Chair and Members of the Tree Committee,

I am writing to share with you my hopes for Tree Committee (TC) initiatives for 2024

1. In order to protect trees from indiscriminate removal, establish and follow a process that will ensure that the TC meets its responsibility under the Tree Law to "Review any proposal by the Village Manager or the Village Manager's designee to remove a tree on public property."
2. To conserve funds for tree maintenance, advise the BOT that, prior to orders of removal, measurements of the diameter of trees should be taken by staff and included in the required Purchase Order provided to the Village's tree maintenance contractor.
3. To properly manage our urban forest advise the BOT that a [comprehensive inventory](#) of Village trees and a system for maintaining it be undertaken.
4. Initiate and complete the creation of the list of significant trees as required by the Village's Tree Law.
5. As our tree law requires, "Study, investigate, review, develop and/or update annually and administer a written plan, presented annually to the Board of Trustees, for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas, with an estimate of the costs" to submit for this year's budget.
6. Either revise or comply with the "Guidelines for Planting Street and Park Trees" on your webpage.

Sincerely,

Stuart Tiekert

----- Forwarded Message -----

From: "donotreply@destinyhosted.com" <donotreply@destinyhosted.com>

To: "tiekerts@yahoo.com" <tiekerts@yahoo.com>; "foil@vomny.org" <foil@vomny.org>

Sent: Thursday, December 21, 2023 at 09:33:04 AM EST

Subject: Public Records Notification for Request #7504

The following is in response to your request, #7504 received on December 18, 2023:

Please consider this a FOIL request for following records related to the 12/8/23: All Almstead Tree invoices

PLEASE SEE ATTACHED

Please let us know if we can be of further assistance.

Sincerely,

Agostino A. Fusco
Clerk-Treasurer
Village of Mamaroneck

VILLAGE COURT

VILLAGE OF



MAMARONECK

JUDGES

Judge Daniel J. Gallagher
Judge Christie L. Derrico

*Village Hall
Post Office Box 369
169 Mt. Pleasant Avenue
Mamaroneck, N.Y. 10543
Telephone: 914-777-7710
Fax: 914-777-7758*

COURT CLERK
Bonnie J. Casterella

Beverly Sherrid
Chairman, VOM Tree Committee
625 The Parkway
Mamaroneck, NY 10543

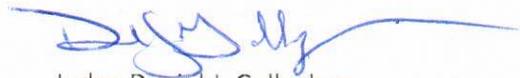
January 10, 2024

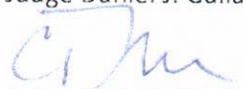
Dear Ms. Sherrid:

We have received several letters from you over the past year expressing opinions regarding the enforcement of the Village's tree ordinance.

We understand that you feel strongly about the tree law. We have not previously responded to your letters because it is ethically improper for the judges to engage in communications with you regarding cases that are pending or contemplated to come before us. We contact you now to make you aware of this. If you have concerns about VOM's enforcement of the village code in the future, we suggest you direct related communications to the village manager's office or the building department rather than the Court.

Very truly yours,


Judge Daniel J. Gallagher


Judge Christie Derrico

Attachment 4

Appeals for Clearcutting Fines at 859 Mamaroneck Ave & 951 E. Boston Post Road

Hi Carolina,

What was the outcomes of the appeals of the fines for clearcutting lots at 859 Mamaroneck Ave and 951 E. Boston Post Road? I believe both owners were scheduled to appear in Village Court in January.

Thank you!
Beverly Sherrid

Attachment 5
Heritage Tree Program Correspondence

Thank you Chris!

This is a clear and orderly beginning to an HTP. The Tree Committee is meeting next Weds. and I'm adding this to the agenda.

Before we send this over to the Trustees, I'm wondering if you've seen any specific nomination forms for designating a tree?

We need to divide nominations into two categories: VOM trees and trees on private property. The Village already has control over maintenance of its own trees, and is quite responsive when alerted. Compiling a formal list of VOM Heritage Trees would be a good way to put those trees on an inspection and maintenance schedule.

Private property trees would need either to be nominated by the owner, or nominated by someone else and signed off by the owner.

In both cases, the criteria you name should be listed on the form.

The question of whether a tree on private property might be protected from future property development is a fraught one, but it might ease the path to future discussion by introducing designations now. (Maybe a property tax credit would make owners more receptive? Suspect the trustees won't want to forego even a little revenue, but might be worth asking.)

A separate question is whether the Village would be willing to provide maintenance for qualified private trees.

Even if the Village doesn't want to make financial commitments, we might consider granting some sort of recognition to private heritage trees in the hope of encouraging interest among the owners and, even better, proper

maintenance. Moreover, introducing the concept and creating the designation and a list might ease a path to future financial commitments by the Village.

Thanks again. As I told you before, this program is something that needs to happen but I just wasn't getting to it. You've made a big lift.

Beverley

From: Hillyer, Chris <CHillyer@nybc.org>
Sent: Thursday, January 25, 2024 1:43 PM
To: Beverley Sherrid <BSherrid@vomny.net>
Subject: VOM Heritage Tree Program v1 1-24-2024

Hi Beverly. I remain enthusiastic about a VOM Heritage Tree Program (HTP). I put together a very rudimentary “starting point” document (attached). It is overly simple, basic, and obvious, but I didn’t want to go to the next level if there is really no likely support for such a program - meaning, a path to funding (as there would be [again, obviously] a lot of work in designing and defining an HTP; then identifying and mapping; and then managing and maintaining). I am happy to leave it in the “nice idea” stage or help move it to a more significant level with your direction.
Thanks! Chris

Attachment 6
DRAFT
Village of Mamaroneck
Heritage Tree Program
1-24-2024

1. What is a Heritage Tree (HT)?

Heritage trees are trees that are considered to be “important”, typically because of their great size, notable longevity, unusual form, location at the extreme of their natural growing range, or association with history or historical events of importance in their location.¹

2. What is a Heritage Tree Program (HTP)?

A Heritage Tree Program seeks to define criteria for classifying a given tree as an HT, and then providing funding and oversight so that HTs can be identified, protected and preserved. An HTP can also serve educational and conservation roles within the community.

3. Does the Village of Mamaroneck (VOM) have a HTP?

At present, the VOM does not have a formal HTP though there is a list of HTs (dated 3-16-2022, numbering 10 trees), a few nominations, at least one report of assessment of a potential HT, and some recollection of certain trees being fertilized as part of a VOM HTP or HTP-like effort in the past 10 years.

4. What criteria can be used for defining HTs?

Criteria for designating trees as HTs vary but typically include the characteristics noted in #1 above.

Scarsdale, NY has an HTP; related regulations including criteria are pasted below²:

¹ See Fazio, “Saving our Heritage Trees”, Arbor Day Foundation, 2012
www.arborday.org/trees/bulletins/coordinators/resources/pdfs/064.pdf

² <https://ecode360.com/6439532>

← Village of Scarsdale, NY / Part II, General Legislation / Trees, Grass, Brush and Weeds →
Article I Trees

§ 281-7 Heritage trees.

A. Upon the written request and consent by any property owner, the Board of Architectural Review may designate a tree as a "heritage tree."

B. A tree may be designated as a heritage tree upon a finding that it is unique and of importance to the community. The following factors may be considered by the Board of Architectural Review when considering designating a heritage tree:

- (1) It is an outstanding specimen of a desirable species.
- (2) It is one of the largest or oldest trees in Scarsdale.
- (3) It possesses distinctive form, size, age, location, and/or historical significance.

C. After Board of Architectural Review approval of a heritage tree designation, the Village Engineer shall notify the property owner(s) in writing. A listing of trees so designated, including the specific locations thereof, shall be kept by the building department.

D. Once designated, a heritage tree shall be subject to the provisions of this article unless removed from the list of heritage trees by action of the Board of Architectural Review. At its discretion the Board of Architectural Review may remove a tree from the list upon written request by the property owner.

The VOM would need/want to consider if any tree could potentially become designated as an HT or only those on Village property.

5. What would a VOM HTP entail after adopting methods for selection and designation of HTs?

Ideally, a VOM HTP would adopt and fund maintenance of HTs which could/would include: identifying and mitigating soil compaction; removal of dead branches and special pruning needs; competition and control of understory shrubs or grass; insect, pest and disease treatment; fertilization; and lightening protection/repair. The HTP might also have processes to ensure that protection of HTs is taken into consideration during building and construction planning.

Attachment 7
Follow Up Procedure for Replanting Requirements

Hi Jerry,

Has the Village been following up on the replanting requirements for trees that have been taken down? We should have a formal procedure in place before you leave.

Beverley

.....

We do not have anything formal. I have been doing it while I am out doing current tree permits. I basically spot check when I am on the same street or section of the Village. So far, I have seen new trees when I am out there.

The TC should discuss and recommend a formal process for the new arborist the Village hires so it can be included in the RFP that will need to go out. Dan is copied because he will most likely write that RFP.

Thanks

"It always seems impossible until it's done." ~ Nelson Mandela

Jerry Barberio
Village Manager

Date: 11/29/2023

To: Village of Mamaroneck

I write to appeal the denial of our tree removal permit regarding 417 N Barry Avenue, Mamaroneck, NY. The tree is located between a multi-family home and a YAI home, National Institute for People with Disabilities. The tree has been deemed unsafe by three arborists, which makes the homeowner and residents uncomfortable. We have supporting documents attached with notes and pictures.

This has been an ongoing debate since 6/21/2023 with the Village of Mamaroneck, whom believe that the tree is safe and denied removal. We have an email thread with the village since the summer and nothing has been resolved. We hired two additional arborists to assess the integrity of the tree since we were told there is no proper appeal process.

Regards,

Matthew and Michelle DiSilvestre, owners of 417 N Barry Avenue



APPLICATION FOR TREE REMOVAL PERMIT

For activities in accordance with Village Code- Chapter 318

As per Village Code §318 a property owner may remove a tree on non-public property as of right, provided that:

- The tree is removed under an actual or ongoing emergency when such tree removal is necessary for the protection and preservation of life or property, including adjoining parcels. The property owner shall give notice of said removal to the Village as soon as practical.

Section: _____ Block: _____ Lot: _____ Application Date: 6-21-23
Property Owner: Name: Matt Disilvestre Address: 417 North Barry Ave
City: Mamaroneck State: NY Zip Code: 10543
Phone: 347-885-9827 Email: matthew.disilvestre@gmail.com

Tree Contractor: Name: Evergreen Arborists Address: 327 Northrup Ave
City: Mamaroneck State: NY Zip Code: 10543
Phone: 914-698-0707 Email: Earborists@aol.com

For activities that include proposed removal of tree(s) that straddle a property line, the signature from the adjacent/affected property owner acknowledging the application for tree removal(s) shall be included below.

Adjacent /Affected Property Owner Signature: _____ Date: _____
Address: _____ Phone: _____
ISA Arborist: Name: Chris Neal NY-0245A Address: 43 Adelphi Ave
City: Harrison State: NY Zip Code: 10528
Phone: 914-447-1390 Email: Earborists@aol.com

Description of Project: Tree Removal

Any land use board determinations in the past 3 years that included an approved landscaping plan or tree preservation plan?

Yes/No X

Date of Determination: _____

Is the proposed tree removal activity located within a freshwater wetland-controlled area? Yes / No

Replacement trees shall be native to the northeast United States, of a genus and species expected to grow to maturity at a similar size to the removed tree. Trees known to be invasive species are excluded for use as replacement trees. Replacement trees shall be selected by the property owner from the Village's list of recommended native trees.

APPLICATION FOR TREE REMOVAL PERMIT—page 2

For activities in accordance with Village Code—Chapter 318

PERMIT # _____
DATE: 6-21-23

Property Address: 417 North Barry Ave

PROPOSED TREE(S) FOR REMOVAL:

Tree #	Botanical or Common Name	DBH (Diameter@ Breast Ht.)	Reason for Removal	Village Comments
1	Linden	36"	Cocodominant split	

Color photos attached illustrating the existing conditions of the tree(s). Yes No

Additional pages attached including supporting documentation prepared by a tree expert that may provide assessment indicating the condition of dead, dying, diseased or hazardous tree(s). Yes No

For lots less than 14,500 sf	
DBH of tree removed (inches)	Replanting requirement
Under 8 inches	No replanting necessary
8 inches or greater	One 2 to 2 ½ inch DBH tree
For lots 14,500 sf and above:	
Under 8 inches	No replanting necessary
8 to 12 inches	One 2 to 2 ½ inch DBH tree
13 to 25 inches	Two 2 to 2 ½ inch DBH trees
26 inches or greater	Three 2 to 2 ½ inch DBH trees

ISA Basic Tree Risk Assessment Form

Client Matt DiSilvestre Date 06-20-2023 Time 10:00am
 Address/Tree location 417 North Barry Avenue, Mamaroneck Tree no. 1 Sheet 1 of 1
 Tree species Linden dbh 36" Height 60' Crown spread dia. 30'
 Assessor(s) Chris Neal - NY-0245A Time frame 1 Year Tools used Visual

Target Assessment

Target number	Target description	Target zone			Occupancy rate 1-rare 2-occasional 3-frequent 4-constant	Practical to move target?	Restriction practical?
		Target within drip line	Target within 1 x Ht	Target within 1.5 x Ht			
1	House		<input checked="" type="checkbox"/>		4	n	n
2							
3							
4							

Site Factors

History of failures Limb failure over past year Topography Flat Slope % Aspect _____
 Site changes None Grade change Site clearing Changed soil hydrology Root cuts Describe _____
 Soil conditions Limited volume Saturated Shallow Compacted Pavement over roots % Describe _____
 Prevailing wind direction SW Common weather Strong winds Ice Snow Heavy rain Describe Coastal Storms

Tree Health and Species Profile

Vigor Low Normal High Foliage None (seasonal) None (dead) Normal 95 % Chlorotic _____ % Necrotic _____ %
 Pests _____ Abiotic _____
 Species failure profile Branches Trunk Roots Describe Linden weak cell structure prone to failure

Load Factors

Wind exposure Protected Partial Full Wind funneling _____ Relative crown size Small Medium Large
 Crown density Sparse Normal Dense Interior branches Few Normal Dense Vines/Mistletoe/Moss _____
 Recent or planned change in load factors _____

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown LCR _____ % Cracks _____ Lightning damage
 Dead twigs/branches _____ % overall Max. dia. _____ Codominant _____ Included bark
 Broken/Hangers Number _____ Max. dia. _____ Weak attachments _____ Cavity/Nest hole _____ % circ.
 Over-extended branches Previous branch failures Past Year Similar branches present
 Pruning history Dead/Missing bark Cankers/Galls/Burls Sapwood damage/decay
 Crown cleaned Thinned Raised Conks Heartwood decay Throughout crown
 Reduced Topped Lion-tailed Response growth poor
 Flush cuts Other _____

Main concern(s) Too heavy to support with codominant split

Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Trunk —

Dead/Missing bark Abnormal bark texture/color
 Codominant stems Included bark Cracks
 Sapwood damage/decay Cankers/Galls/Burls Sap ooze
 Lightning damage Heartwood decay Conks/Mushrooms
 Cavity/Nest hole _____ % circ. Depth _____ Poor taper
 Lean _____ ° Corrected? _____

Response growth _____
 Main concern(s) Codominant Crack near base - Very hazardous

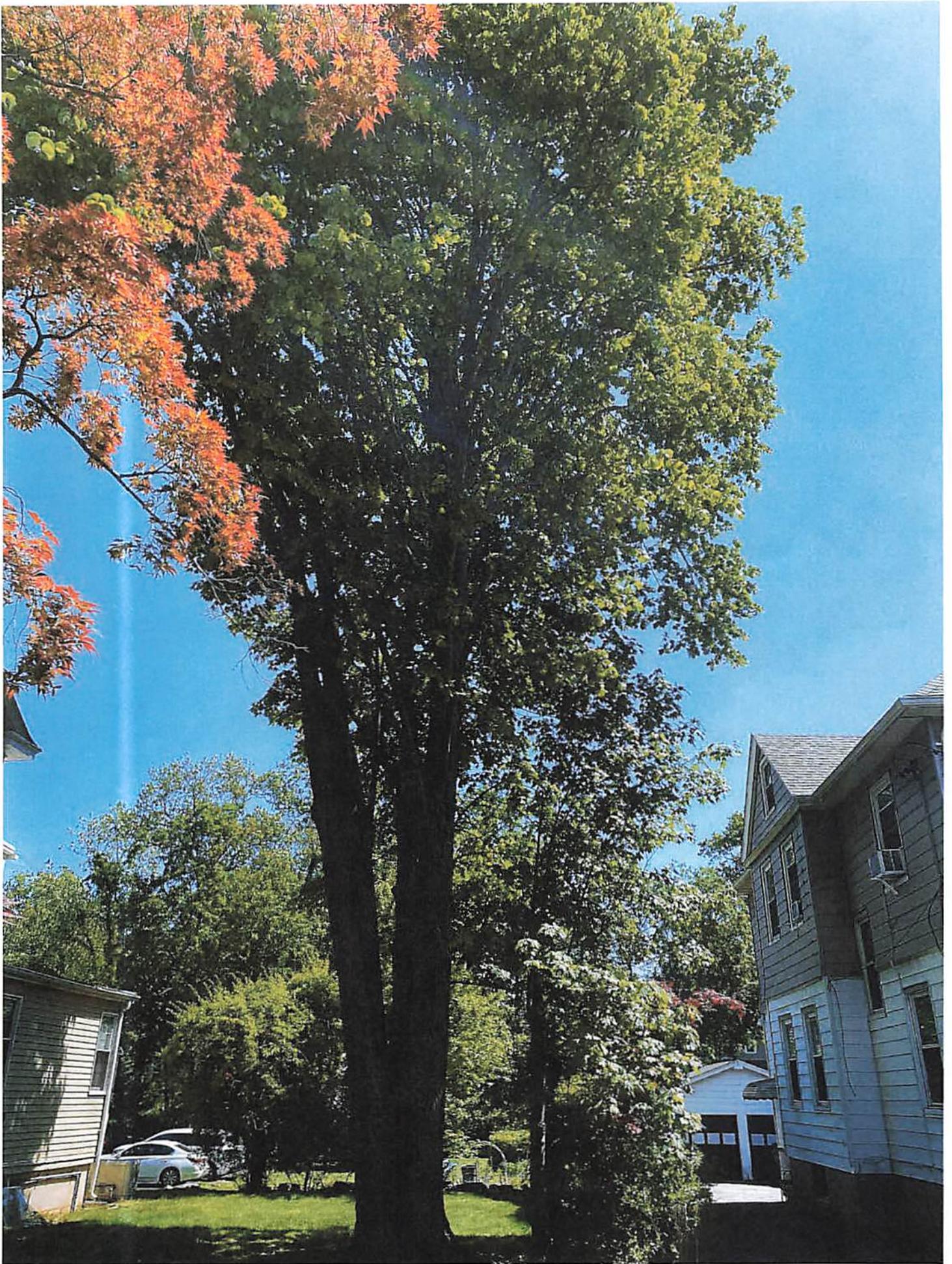
Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

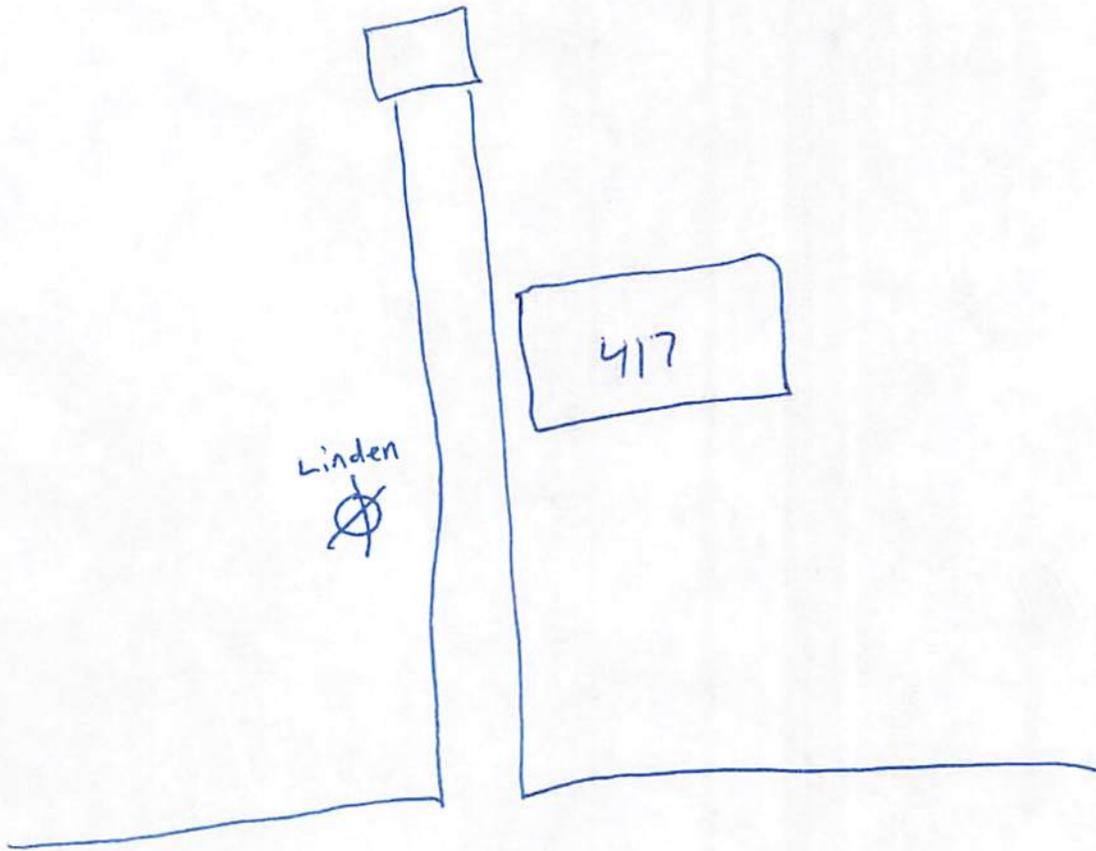
— Roots and Root Collar —

Collar buried/Not visible Depth _____ Stem girdling
 Dead Decay Conks/Mushrooms
 Ooze Cavity _____ % circ.
 Cracks Cut/Damaged roots Distance from trunk _____
 Root plate lifting Soil weakness

Response growth _____
 Main concern(s) _____

Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent





Barry Ave

ISA Basic Tree Risk Assessment Form

Client MATTHEW DI SILVESTRE Date 9-24-23 Time 11:15 AM
 Address/Tree location 417 NORTH HARRY AVE (SIDE YARD) Tree no. 1 Sheet of
 Tree species LINDEN TREE dbh 32" Height 70 Crown spread dia. 50
 Assessor(s) MICHAEL NOWAK NY 9534-A Tools used Time frame

Target Assessment

Target number	Target description	Target protection	Target zone			Occupancy rate 1 - rare 2 - occasional 3 - frequent 4 - constant	Practical to move target?	Restriction practical?
			Target within drip line	Target within 1 x Ht.	Target within 1.5 x Ht.			
1	NEIGHBORING HOUSE	NO		X		4	N	N
2	PRIMARY RESIDENCE	NO		X		4	N	N
3								
4								

Site Factors

History of failures 970MM DAMAGE Topography Flat Slope % Aspect
 Site changes None Grade change Site clearing Changed soil hydrology Root cuts Describe
 Soil conditions Limited volume Saturated Shallow Compacted Pavement over roots % Describe
 Prevailing wind direction SW Common weather Strong winds Ice Snow Heavy rain Describe NOR EASTERLS

Tree Health and Species Profile

Vigor Low Normal High Foliage None (seasonal) None (dead) Normal 85 % Chlorotic % Necrotic %
 Pests/Biotic Abiotic
 Species failure profile Branches Trunk Roots Describe FEST & FLOWING / WEAK WOOD

Load Factors

Wind exposure Protected Partial Full Wind funneling Relative crown size Small Medium Large
 Crown density Sparse Normal Dense Interior branches Few Normal Dense Vines/Mistletoe/Moss
 Recent or expected change in load factors

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown LCR %
 Dead twigs/branches % overall Max. dia.
 Broken/Hangers Number Max. dia.
 Over-extended branches
 Pruning history
 Crown cleaned Thinned Raised
 Reduced Topped Lion-tailed
 Flush cuts Other
LOWER CROWN RAISED TO TOP
ALL 6-INCH @ TOP 50%
 Part Size Fall Distance
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

Cracks Lightning damage
 Codominant Included bark
 Weak attachments Cavity/Nest hole % circ.
 Previous branch failures YES Similar branches present
 Dead/Missing bark Cankers/Galls/Burls Sapwood damage/decay
 Conks Heartwood decay
 Response growth POOR COMPARTMENTIZING
 Condition(s) of concern DECAY MEDITATING
 Part Size Fall Distance
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Trunk —

Dead/Missing bark Abnormal bark texture/color
 Codominant stems Included bark Cracks
 Sapwood damage/decay Cankers/Galls/Burls Sap ooze
 Lightning damage Heartwood decay Conks/Mushrooms
 Cavity/Nest hole % circ. Depth Poor taper
 Lean ° Corrected?
 Response growth
 Condition(s) of concern SEVERE INWARD BARK
 Part Size 24-36" Fall Distance 80'
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Roots and Root Collar —

Collar buried/Not visible Depth Stem girdling
 Dead Decay Conks/Mushrooms
 Ooze Cavity % circ.
 Cracks Cut/Damaged roots Distance from trunk
 Root plate lifting Soil weakness
 Response growth TYPICAL ROOT ZONE
 Condition(s) of concern MINOR GIRDLE
 Part Size Fall Distance
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

Michal J. Nowak
914 629 0769
MNCVY99@AOL.COM
ISA Arborist NY 5534-A

Tree Assessment Report



Location:

Matthew DiSilvestre
417 North Barry Ave
Mamaroneck, NY 10543

September 26, 2023

Tree 1: Linden Tree

Height: Approx. 70 Feet

Flare: Normal

Limb Failure: Yes

Root Zone: Normal

Inspection Type: Visual

Crown: Approx. 50 feet

Crown Growth: Typical

Cavities: No

Invasive Testing: No

Target: House and yard

DBH: 30 Inches

Crown Health: 10% Decline

Trunk: Co Dominant Included Bark

Insects: No

CONDITION:

Linden Tree in the left side yard is a mature tree with a co dominant trunk that then splits again into another set of co dominant leaders. Tree has had a history of limb failures in the past. Crown of tree has been raised and as a result all the weight is on the upper half of the tree, placing a great deal of stress on the 2 lower crotches. There is a cable installed, but it will not protect the secondary crotch from failing, and may not be enough to resist failure in lower crotch. Main trunk has a very well defined line of included bark on both the front and rear of the tree. Secondary crotch also has a very well defined line of included bark. These crotches noted both have acute angles with are more prone to splitting. The tree being a linden tree, is fast growing and weaker wooded and more prone to damage.

Included bark in essence is a weak structural joint susceptible to rot, insect damage and pockets of water that further decay.

The leaders prone to failing are all in line with adjacent home, and damage would be severe. Home is occupied by a special needs person that cannot be relocated and would be adversely impacted should failure occur.

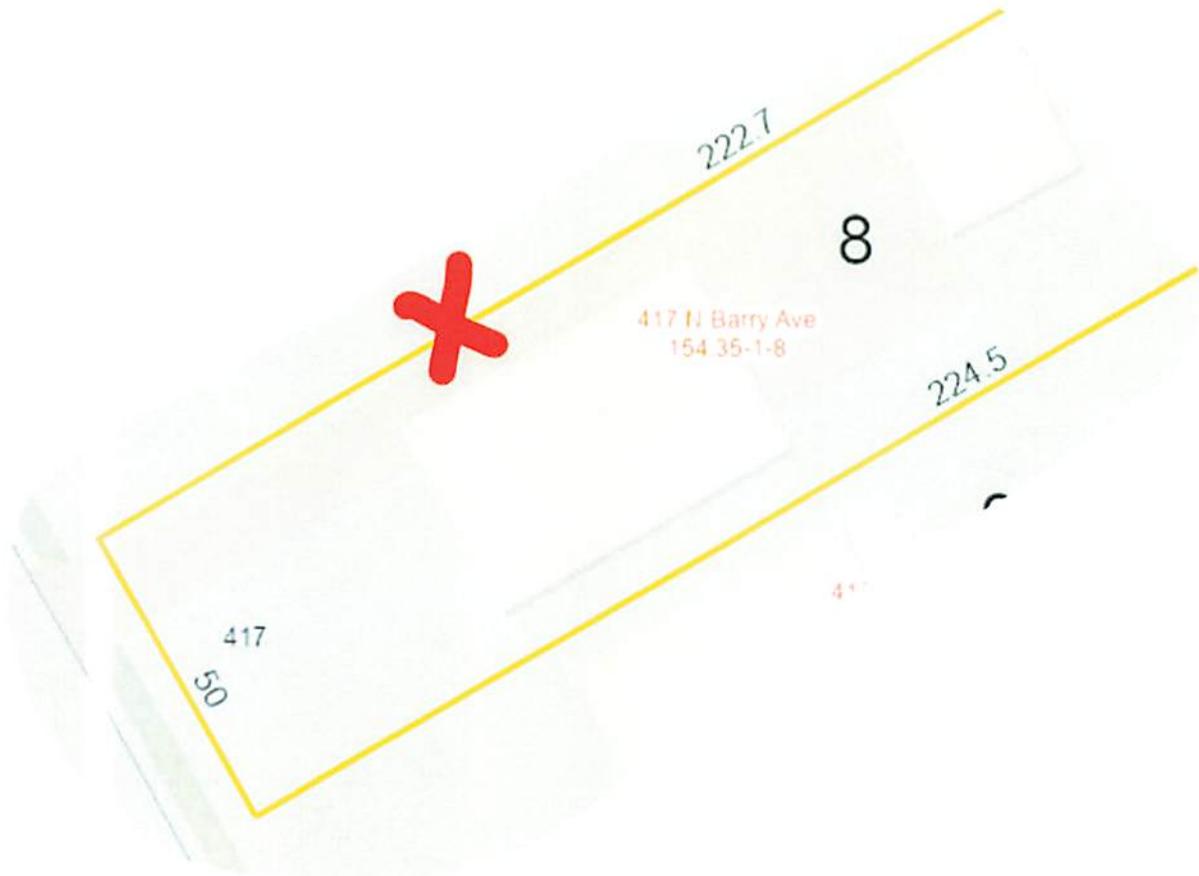
Arborist Recommendation: Remove Tree

Sincerely,

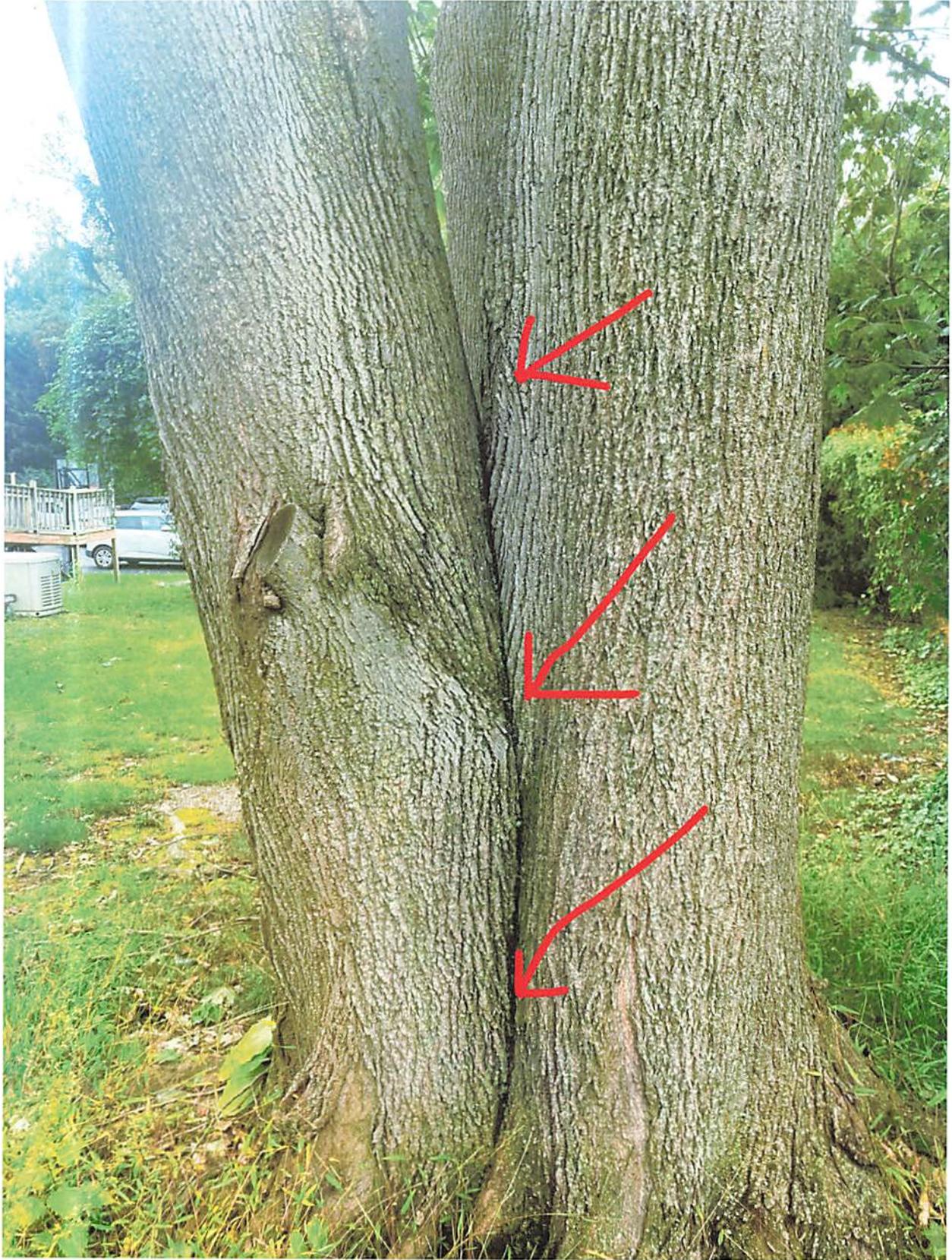
A handwritten signature in cursive script that reads "Michal J. Nowak".

Michal J. Nowak

Site Plan



Extensive included bark



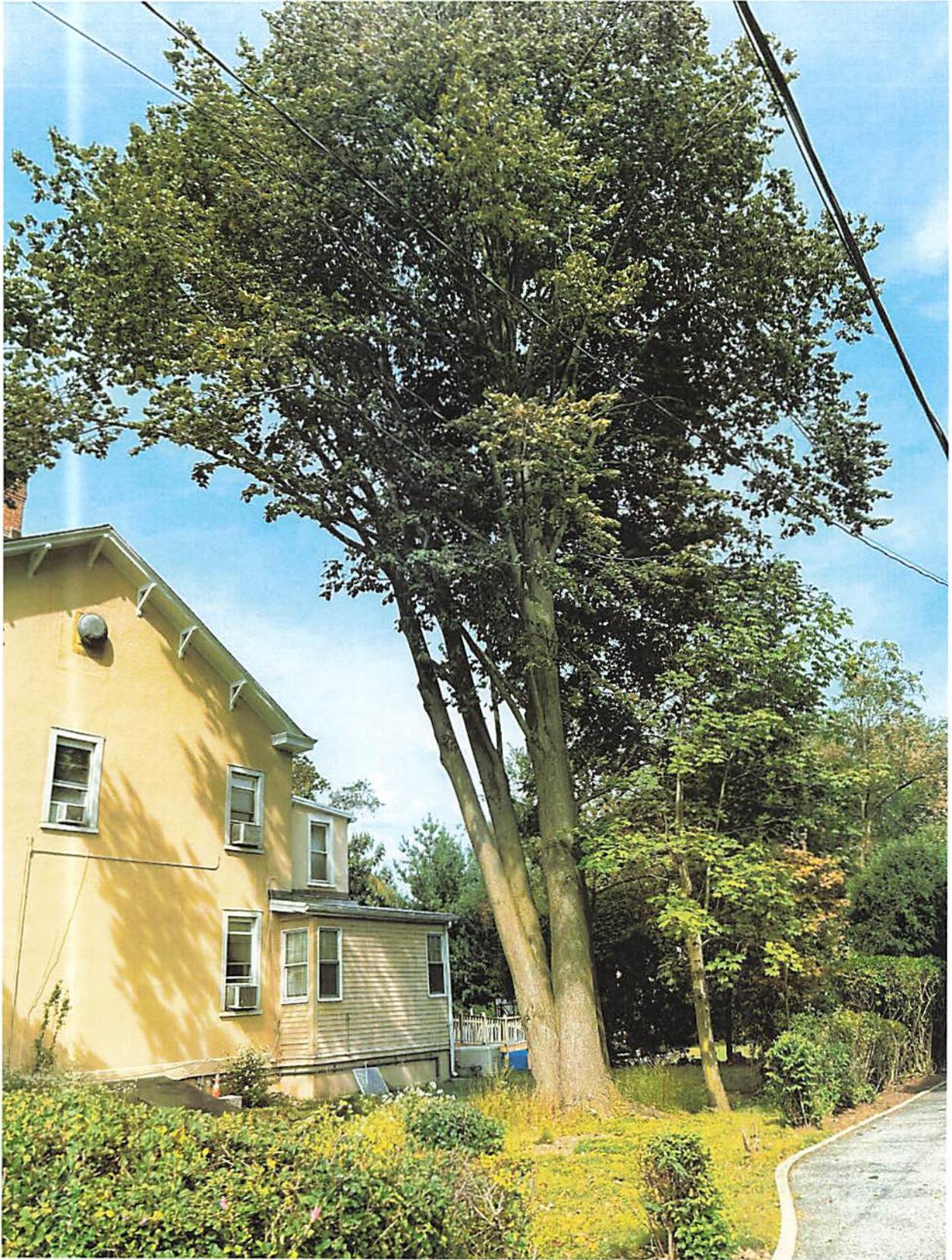
Secondary crotch included bark



Cable in upper crown



Top Heavy, Weighted to neighbor



ISA Basic Tree Risk Assessment Form

Client MATTHEW DI SILVESTRE Date 10.13.23 Time 12pm
 Address/Tree location 417 N. BARRY AVE, MAMARONECK, NY Tree no. 1 Sheet 1 of 2
 Tree species LILIA / LINDEN CODOMINANT dbh > 23" EACH Height APPRX 60-70 Crown spread dia. APPRX 40-50
 Assessor(s) GARY CARDLECI NY-5208A Tools used _____ Time frame _____

Target Assessment

Target number	Target description	Target protection	Target zone			Occupancy rate 1-rare 2-occasional 3-frequent 4-constant	Practical to move target?	Restriction practical?
			Target within drip line	Target within 1 x Ht.	Target within 1.5 x Ht.			
1	Primary Residence	NO		✓		4	NO	NO
2	Neighbors Residence	NO		✓		4	NO	NO
3								
4								

Site Factors

History of failures _____ Topography Flat Slope _____ % Aspect _____
 Site changes None Grade change Site clearing Changed soil hydrology Root cuts Describe _____
 Soil conditions Limited volume Saturated Shallow Compacted Pavement over roots _____ % Describe CLIENT STATES SOIL STAYS WET FOR EXTENDED PERIODS
 Prevailing wind direction _____ Common weather Strong winds Ice Snow Heavy rain Describe _____

Tree Health and Species Profile

Vigor Low Normal High Foliage None (seasonal) None (dead) Normal 80 % Chlorotic _____ % Necrotic _____ %
 Pests/Biotic NONE OBSERVED AT TIME OF INSPECTION
 Species failure profile Branches Trunk Roots Describe CHARACTERISTICALLY A WEAK WOODED TREE

Load Factors

Wind exposure Protected Partial Full Wind funneling _____ Relative crown size Small Medium Large
 Crown density Sparse Normal Dense Interior branches Few Normal Dense Vines/Mistletoe/Moss _____
 Recent or expected change in load factors _____

Tree Defects and Conditions Affecting the Likelihood of Failure

— Crown and Branches —

Unbalanced crown LCR _____ %
 Dead twigs/branches _____ % overall Max. dia. 3"
 Broken/hangers Number _____ Max. dia. _____
 Over-extended branches
 Pruning history
 Crown cleaned Thinned Raised
 Reduced Topped Lion-tailed
 Flush cuts Other APPEARS DRIP LINE
 Cracks Lightning damage
 Codominant Included bark
 Weak attachments Cavity/Nest hole _____ % circ.
 Previous branch failures Similar branches present
 Dead/Missing bark Cankers/Galls/Burls Sapwood damage/decay
 Conks Heartwood decay
 Response growth PRUNING CUTS DO NOT SEEM TO
HAS BEEN REDUCED AND CANOPY RAISED. Condition(s) of concern HAVE HEALED WELL.

Part Size _____ Fall Distance _____
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent
 Part Size _____ Fall Distance _____
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Trunk —

Dead/Missing bark Abnormal bark texture/color
 Codominant stems Included bark Cracks
 Sapwood damage/decay Cankers/Galls/Burls Sap ooze
 Lightning damage Heartwood decay Conks/Mushrooms
 Cavity/Nest hole _____ % circ. Depth _____ Poor taper
 Lean _____ Corrected? _____
 Response growth _____
 Condition(s) of concern INCLUDED BARK ON TRUNKS
 Part Size 23" - 5' Fall Distance 70'

Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

— Roots and Root Collar —

Collar buried/Not visible Depth _____ Stem girdling
 Dead Decay Conks/Mushrooms
 Ooze Cavity _____ % circ.
 Cracks Cut/Damaged roots Distance from trunk _____
 Root plate lifting Soil weakness
 Response growth _____
 Condition(s) of concern SLIGHT GIRDLE ON ONE SIDE

Part Size _____ Fall Distance _____
 Load on defect N/A Minor Moderate Significant
 Likelihood of failure Improbable Possible Probable Imminent

Attachment 9
417 N. Barry Ave Appeal

Hi Jerry,

I stopped by 417 N. Barry to look at the tree they want to remove again. I remember accompanying you on your original inspection last summer.

The tree still seems vigorous, both crown and base, both as it looked today and according to the photos from last summer. I understand the concern, however, about the co-dominant stems, which extend all the way from the crotch to the ground. It looks to me like a potential weakness that might cause a major break sometime, given the strong wind that seems to be a routine part of our weather now. Given how large the tree is and how close it is to the houses, I'm thinking that there is a basis for worry.

I'd like your thoughts, but I think it may be appropriate to approve the permit.

Two questions

- It looks as if the tree is actually on the property of 421 N. Barry, the group home. All the informal boundary markers such as hedge lines, stone wall in the back, garden, suggest a property line. Is there a way to check survey? Or possibly both properties belong to the residents at 417.

- There is a third tree or stem clustered with the linden they want to remove. I don't know if it is part of the same root system – bark looks similar but not identical. Will it be possible to remove the first tree without damaging the other one? It's not in as good shape because it grew up so crowded on one side, but it would be good to save it if possible. Photos attached

Beverley

.....

Jerry Barberio

"Beverley Sherrid" <BSherrid@vomny.net>

"Mayor and Board" MayorandBoard@vomny.org

I remember also and it was growing well when we inspected the tree.

It looks as if the tree is actually on the property of 421 N. Barry, the group home. All the informal boundary markers such as hedge lines, stone wall in the back, garden, suggest a property line. Is there a way to check survey? Or possibly both properties belong to the residents at 417. **It seems to**

be on the line. Either way, we always get the adjacent property owners signature that they are aware of the application. This application, does NOT have the adjacent property owners signature so we can make that a condition of the approval.

There is a third tree or stem clustered with the linden they want to remove. I don't know if it is part of the same root system – bark looks similar but not identical. Will it be possible to remove the first tree without damaging the other one? It's not in as good shape because it grew up so crowded on one side, but it would be good to save it if possible. Photos attached

The root systems are co-mingles and certainly intertwined. Its all or nothing here I am sad to say because basal root will set in and cause future issues. .

I denied this tree removal 7 months ago. We have had some serious storms and major wind. That tree is stable, but a major break can happen anything. We should really rely on Mike Nowak's letter dated 9/26/23 for the TC's final decision.

Jerry Barberio
Village Manager