

**Village of Upper Nyack
Planning Board Meeting
Wednesday, April 17, 2019, 7:30pm**

Minutes

A meeting of the Planning Board of the Village of Upper Nyack was held on the above date and called to order at **7:30pm** by the Chairman, William Pfaff.

Other Board members present: Ellen Simpson and Bruce Biavati.

Also present: Dennis Letson, Village Engineer; Robert P. Lewis, Village Attorney; Dennis and Jillana Sinnott, Secretary.

Others in attendance: Bob Carr, Jock deCamp, Laurie Dodge, John Colgan, Beverly Colgan and Marc Hamilla.

7:30pm The Chairman opened the meeting and read the Notice of Public Hearing, which was published in The Journal News on April 10, 2019.

7:30pm: **Approval of Minutes:** Member Ellen Simpson moved to approve the minutes from March 27, 2019 as amended; SECOND: Bruce Biavati; unanimously APPROVED.

7:40pm: **Summit School, 339 North Broadway, County Map No. 60.18-01-01.**

Said property is located in Residential Zoning District R-2.

This APPLICATION submitted to the clerk the Certificate of mail receipts of neighbor notification.

The APPLICANT was represented by Bob Carr, Facilities Director of Summit School.

The APPLICANT presented the Board with the tree recommended by their Landscaper. Their proposal is to plant 22 Japanese Lilac trees (Ivory Silk) in the same spots approximately one to two feet over due to the old tree root structure from the Linden trees. Mulch will be placed around the base of each tree and then topsoil and grass seed in the area.

The Chairman inquired why the Regal Prince Oak that was suggested by the Board and the Village Consultant Arborist at the last meeting is not being used.

The Applicant stated that it was turned over the Summit School landscaper and this is the tree they suggested.

Member Simpson inquired whether the tree would be a multi stem or single stem trunk. The Applicant was not sure. The Village Engineer stated that the tree should be a single stem trunk since it is a street tree.

Member Biavati stated that the new trees should not be planted in the same spots as the trees that were removed because the soil in that spot may be infected and could cause disease in the new trees.

Watering of the trees was discussed. The Applicant stated that there is water available behind the wall and watering will be done as needed. The trees will be fertilized by the Landscaper.

Member Simpson noted that the tree is listed on the Orange and Rockland Utilities list of

preferred trees.

The Board listened to comments from the public.

Laurie Dodge, 349 North Broadway, questioned why at the last meeting there was a conversation of not replanting the same number of trees. The Board also spoke about plantings at the entrance way.

The Chairman stated that it was a discussion of how many trees and the front entrance plantings and nothing was decided.

The Applicant is still unsure of what they will put at the entrance. Shrubs or seasonal plantings have been thought about

Jacques deCamp, 349 North Broadway didn't think that the planting of 22 trees was an option. Why plant the same amount of trees to have the same problem years from now? The sidewalk is in bad shape. Something durable and simple should be planted to enhance the wall. It is not a good environment for trees to be planted there.

John Colgan, 108 Wyndendown Road, feels street trees will be an enhancement. The height of the trees at installation was questioned.

The Applicant stated that the trees will be 10' to 12' high at planting.

The Chairman believes this will create a presence but not be overwhelming.

Beverly Colgan, 107 Wyndendown Road, would like to see a variety of trees planted. The Garden Club which takes care of the grounds at the Old Stone Meeting House has submitted a letter requesting that three Eastern Red Cedar trees be planted behind the wall to screen out the parking lot.

The Applicant agreed to the planting of trees for screening near the Old Stone Meeting House. He will meet with the Garden Club to be discuss type and placement.

The Board discussed with the Village Engineer the curbing and drainage on North Broadway in front of the Summit School. The Village Engineer suggested that pricing be obtained for concrete curbing or the DPW could install a larger berm. The drainage has always been an issue at this location. The Chairman stated that this issue does not have anything to do with the application. The Planning `Board will direct the Board of Trustees to review the issue.

The BOARD had no further comments.

MOTION: Member Simpson moved to close the public hearing: **SECOND:** Member Biavati; unanimously **APPROVED**

MOTION: The BOARD moved to approve the planting of (22) twenty-two "Ivory Silk" Japanese Tree Lilac (2) two inch caliber trees, with a single stem as noted in the letter from Summit Lawn & Maintenance Co., Everett Burger dated March 26, 2019. The Board would also like to commend the Applicant for agreeing to plant (3) three trees to provide screening for the Old Stone Meeting House as requested by the Garden Club. The drainage and curbing issues on North Broadway will be referred to

the Board of Trustees.

MOTION BY: Ellen Simpson

SECOND: Bruce Biavati

VOTE: Unanimously APPROVED

Other Business:

529, 535, 539 North Highland Avenue LLC, 529, 535 and 539 North Highland Avenue, County Map No. 60.09-01-50, 60.09-01-51 and 60.09-01-52.

The Applicant was represented by Marc Hamilla, son in law of owner Louis George Hogan. Mr. Hamilla called the Town of Clarkstown Environmental to find out what he could do with the property in regards to cleaning it up. He had the property surveyed by Atzl. He will be leaving the big trees but would like to clean out the dead and thorny trees on the South side. He is trying to see what the land looks like and to make it more presentable to a prospective buyer. There is a lot of garbage to be cleaned up also.

The Building Inspector drove by and noticed the cutting of trees. The Building Inspector suggested that Mr. Hamilla should come to the Board to get clarification of what he was allowed to do. The Board discussed the tree cutting law. The Village Engineer read the land clearing law. The property after 125' to 150' slopes down. They may be able to clear the underbrush.

There was a discussion regarding the LO district and keeping a 75' buffer between commercial and residential properties.

The Board gave guidance to the Building Inspector that they would suggest that the buffer not be touched and that it is left to his discretion of what can be cleared.

The meeting was adjourned at 8:30pm.

Respectfully submitted,
Jillana Sinnott, Secretary