



MEMORANDUM

TO: Village of Montebello Planning Board

FROM: Jonathan Lockman, AICP
Gerard Chesterman, Planner

SUBJECT: 9 Emerald Lane – Tree Removal/Planting Plan
Tax Map 48.08-1-36;

DATE: March 6, 2025

CC: Regina Rivera - Planning Board Secretary
Martin Spence, P.E. - Village Engineer
Alyse Terhune, Esq. - Planning Board Attorney
Adam Gordon, Building Inspector
Anthony Celentano, PLS - (for the Applicant)
Abraham Fromowitz – (for the Applicant)

Materials Reviewed for this Memorandum:

- Project Narrative prepared by Abraham Fromowitz of Clean Cut Inc., stamped received by the Village of Montebello Planning and Zoning Clerk on February 14, 2025.
- Village of Montebello Planning Board Application, prepared and signed by Daniel Nacca, Applicant, dated February 14, 2025.
- Landscape Plans: Proposed Trees and Removal for 9 Emerald Lane. Prepared, stamped, and signed by Anthony R. Celentano P.L.S., dated February 3, 2025.

Project Summary

Thirty-six (36) trees are proposed to be removed and replaced at this site (33 pine trees, a black cherry tree, an ash tree, and a maple tree). The arborist has identified that they are all weak and pose a safety threat to the residents and their guests. The removed trees are proposed to be replaced with approximately 52 new green giant arborvitae trees that are 4-5' feet in height and planted 5 feet on center (OC) and will surround much of the back and east side of the property. One 8' high sugar maple tree is proposed to be planted in the front of the lot near the Emerald Lane driveway entrance.

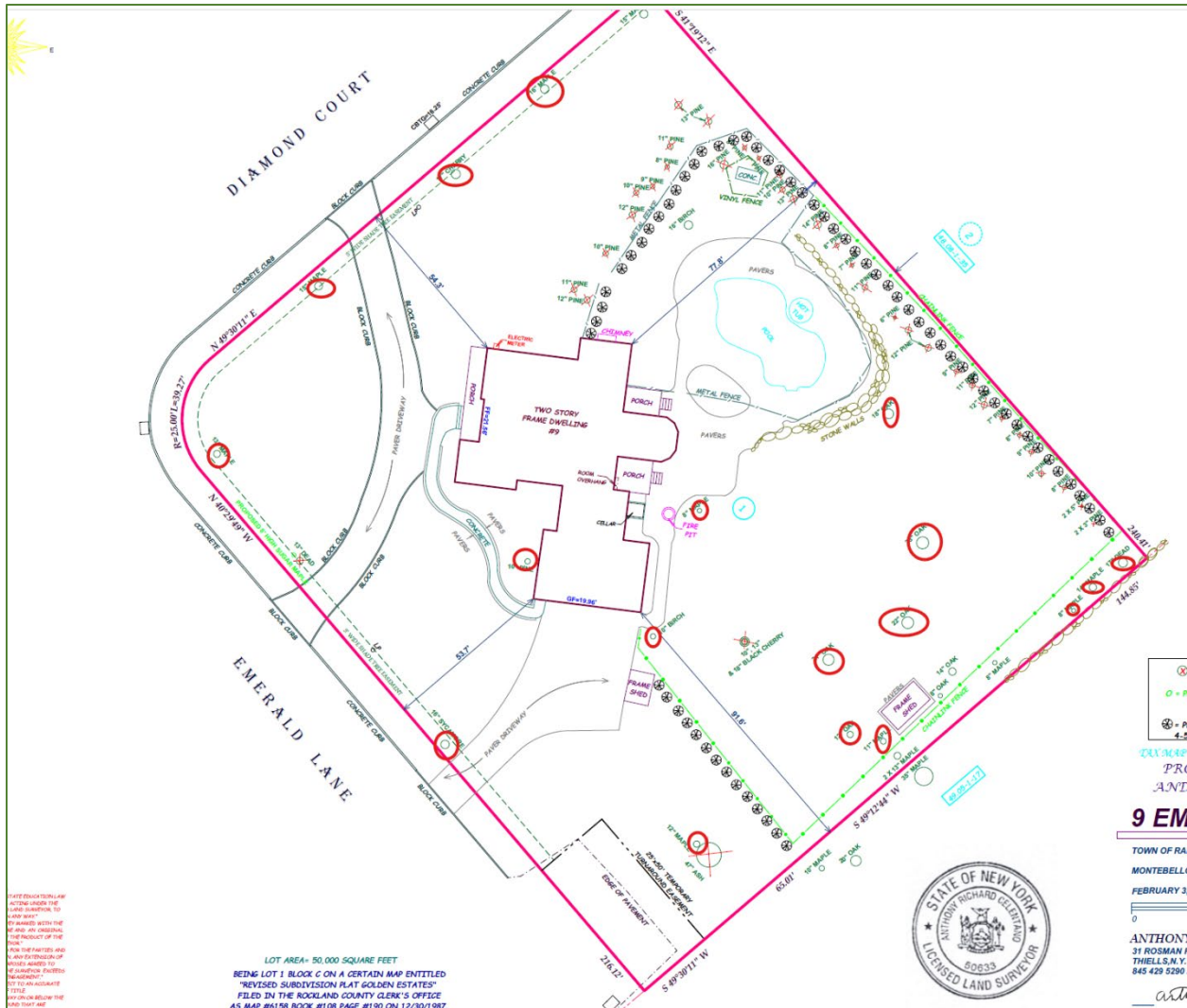
The property is located at 9 Emerald Lane in the RR-50 Zoning District.

Submission Comments

1. Please clarify the details of the proposed 8-foot-tall sugar maple tree, indicated on the Celentano Plan. A label for the new tree is shown on the left side of the Emerald Lane driveway entrance, but no bright green circle is indicated to show where the trunk of the tree will be located. The proposed sugar maple also is not mentioned in the project narrative by Mr. Fromowitz. **Please**

confirm if this sugar maple tree is part of the proposal, and if so, it should be reflected in the narrative submission, and its specific location should be shown on the landscape plan.

2. In our diagram below, please note that there are several trees throughout the site circled in red that appear to be existing trees. Please provide a distinct symbol for the existing trees and include them in the legend.



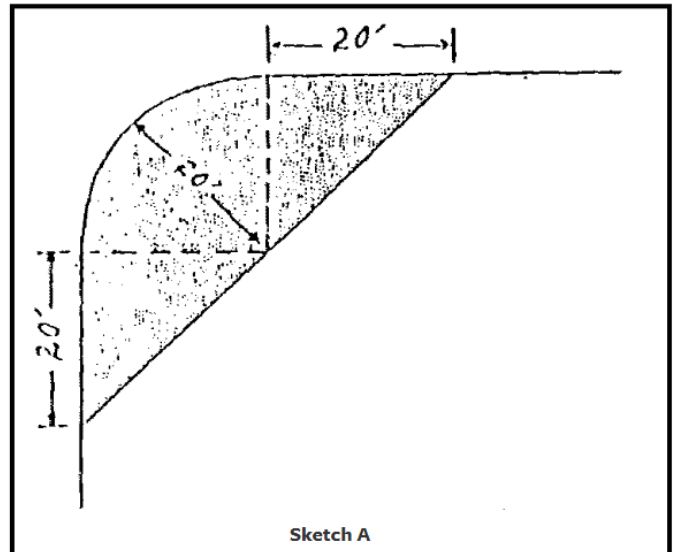
Code Compliance Comments

Chapter 132 Property Maintenance

3. Per § 132-13, Landscaping Maintenance: It is **the responsibility of the property owner to assure that the trees on the property are maintained "in a safe condition, free of noxious weeds and otherwise free of nuisance, hazard, debris, litter and unsightly materials."**
4. It appears that there is a **proposed arbor vitae green giants** planted close to the chimney which could present safety and management issues as it grows. Please review.

Chapter 160 Steets and Sidewalks

5. Please that the location of the proposed 8' high sugar maple conforms to the standards set forth in §160-23, which states: "No shrubbery, hedge or other natural growth, or fence (except a transparent fence such as chicken wire, in which the solid area is not more than 5% of the total area of the fence) or wall over three feet higher than the apex at the center line or the street shall be located within the triangular area shown shaded in Sketch A at the intersection of two roads: (See right.)



Nor shall the limbs or foliage on any tree obstruct vision or be permitted to grow nearer to the ground than eight feet where such limbs or foliage overhang or are over or upon land within the triangular area as shown in Sketch A."

Chapter 163 Subdivision of Land

6. As per § 163-28. D, all removed/cut down trees must be taken off site.
7. We note that a 13-inch required street shade tree marked as "dead" is shown to be removed, just to the left of the Emerald Lane driveway entrance. The Village Engineer should confirm that the proposed replacement for this tree (see comment 5 above) meets the standards of §163-24.C.(3) and is of sufficient size.

Chapter 176 Tree Preservation and Landscape Maintenance

8. A tree removal permit is required for this proposed activity, per section 176-6. Per section 176-6.B.(2), the following is permit with such a permit: "The cutting, destruction or removal of trees which are dead or imminently dead or which endanger public safety and pose imminent peril, such condition confirmed by the Village Engineer. We will defer to the Village Engineer's review of the arborist's report and his determination of whether a permit is justified.
9. Per section §176-6.E.(4).(a), the Planning Board should discuss with the Village Engineer whether the evidence provided by the arborist is sufficient to make a finding that "the proposed removal will alleviate a nonimminent peril to public safety or will likely not result in or cause, increase or aggravate any of the following conditions:
 - [1] Impaired growth or development of the remaining trees or shrubs on the property of the applicant or upon adjacent property;
 - [2] Soil erosion sediment or dust, drainage or sewerage problems or any other reasonably foreseeable dangerous or hazardous condition;

- [3] Have a significant adverse impact upon existing biological and ecological systems;**
- [4] Significantly affect noise pollution by increasing noise levels to such a degree that a public nuisance may be anticipated or by significantly reducing the noise-dampening effect of vegetation near sensitive noise receptors;**
- [5] Significantly affect wildlife habitat available for wildlife existence and reproduction by causing emigration of wildlife to adjacent or associated ecosystems; or**
- [6] Significantly denude a visible buffer between adjacent properties.**

10. As per § 176-4.C.(1), “all new trees to be provided pursuant to this chapter shall be approved by the Village Engineer, and shall be planted in accordance with specifications, rules and regulations promulgated by the office of the Village Engineer.” We defer to the Village Engineers review of the planting specifications.
11. The Planning Board should discuss whether it will require any security to guarantee the proposed tree plantings, pursuant to §176-4.C.(2).

Should you have any questions, please feel free to reach out.