

VILLAGE OF TARRYTOWN TREE COMMISSION  
Annual Report to the Board of Trustees 6 March 2023

§ 281-1

Legislative intent.

There is a direct relationship between the number of trees planted in a community and the health and safety and welfare of that community. Trees provide shade, add color, control water and air pollution, stabilize the soil and prevent erosion. The destruction of shade trees causes increased municipal costs for proper drainage control and impairs the benefits of occupancy of existing residential properties. In order to provide protection against the indiscriminate destruction of trees, this chapter establishes minimum standards for tree protection.

§ 281-2

Powers and duties of Superintendent of Public Works.

[Amended 9-16-2019 by L.L. No. 9-2019]

The Superintendent of the Department of Public Works or their designee shall have supervision over all trees planted or growing within the lines of all public streets and places of the Village and the planting, removal, care, maintenance and protection thereof pursuant to the provisions of this chapter. The Superintendent of Public Works or their designee shall have the right to trim, spray, preserve and plant such trees as may be necessary to preserve symmetry or to remove or cause to be removed any tree or part thereof that is in an unsafe condition or that, by reason of its nature, is injurious to sewers or other public improvements or is infected with any injurious fungus, insect or other pest. The Superintendent of Public Works shall meet with the Tree Commission on an annual basis to provide the Commission with a tree planting and tree maintenance plan for the land within the lines of all public streets and places. Where there is any doubt as to whether a tree is in an unsafe condition or is causing an unsafe condition or is infected with any injurious fungus, insect or pest, the Superintendent of Public Works or their designee shall consult with the Tree Warden prior to removal of any tree. In this situation the final decision is by the Tree Warden.

§ 281-3

Tree Warden.

The Board of Trustees shall select an individual with knowledge of the planting and maintenance of trees to serve as the Tree Warden for the Village of Tarrytown. The Tree Warden shall represent the Tree Commission and shall have the powers, rights and responsibilities as provided for in this chapter and shall serve at the pleasure of the Board of Trustees.

P 281-5 Tree Commission.

A.

The Board of Trustees shall create a Tree Commission which shall consist of seven members, including the Building Inspector, the Superintendent of Public Works, the Tree Warden, a member from the Environmental Advisory Council and three members selected from the residents of the Village of Tarrytown. A quorum shall consist of at least three members present. There shall be a liaison between the Tree Commission and the Planning Board. The Board of Trustees shall also select a Chairperson for the Commission who shall serve as liaison to the Village Administrator. The Chairperson shall be responsible for communicating to all departments.

This may be the logical time to introduce the members of the Tree Commission. I am Martin Hauser, Chair of the Commission. In addition to Dan Pennella, the Village Engineer, the Superintendent of Public Works, Lou Martirano, is represented by William McGuire, DPW General Foreman. Our Certified Arborist is Redmond Tsao, Our Tree Warden is Peter Bartlett, who is also a certified arborist. Our Liaison with the Planning Board is David Aukland. Ron Tedesco, our long-time Secretary and Anne O'Brien, former Chair of the Commission, serve as members from the community. Cathy Ruhland is our Liaison with the Tarrytown Environmental Advisory Council and now serves as our Secretary.

[Amended 9-16-2019 by L.L. No. 9-2019]

B.

The voluntary members of the Tree Commission, excluding the Tree Warden, shall serve for three-year terms, such terms to be on a staggered basis. The members of the Commission shall receive no compensation for their services as members but may, in the discretion of the Board of Trustees, be permitted the necessary and actual expenses which shall be incurred in the performance of duties under this chapter.

C.

All determinations and decisions made by the Tree Commission shall be by a majority vote. The Commission is hereby authorized and empowered to obtain the assistance, when necessary, of persons especially qualified by reason of training or experience in tree planting, preservation and landscaping. Should the Commission seek assistance, based upon an appeal permitted under § 281-11 of this chapter, all costs thereof shall be borne by the party seeking said appeal. Assistance requested by the Commission not related to the appeal process shall be borne by the Village.

D.

The Tree Commission shall meet, at a minimum, on a monthly basis. Said meetings shall be regularly scheduled and advertised on the Village Calendar. At the meeting, the Commission shall review the tree permits that are pending, have been issued and denied by the Tree Warden, the Zoning Board of Appeals and the Planning Board. The Tree Commission shall review site plan/zoning variance applications currently pending before either the Zoning Board of Appeals and/or the Planning Board and issue recommendations to either Board with respect to any aspect of said application that may impact trees, shrubs and/or related plantings. The Commission shall also hear any appeals based upon the denial of a permit by the Tree Warden. The Commission may have regular meetings or on a more frequent basis. A special meeting may be convened should either the Chairperson or two other members of the Commission deem such a meeting to be necessary.

E.

The Tree Commission reserves the right to refuse permits for tree destruction if it feels that the best interests of the public are not served by the proposed development. It may further revoke any permit if the work is not proceeding according to permit and in an orderly and diligent manner.

F.

The Tree Commission shall have control over payments to and disbursements from the Village Tree Fund, created in § 281-13 herein below.

I might add that the establishment of a Tree Commission is one of the requirements for Tarrytown being named a "Tree City" by the National Arbor Day Foundation. This designation qualifies us to receive grants for tree-planting for which we would otherwise be eligible.

I'd like to begin with a postscript from 2021, As part of the Village Veterans Day observance on November 11<sup>th</sup> of that year we planted a small grove of three Canadian Redbud trees behind the Veterans Monument in Patriots Park, to honor our veterans and to add additional beauty to the

park. These trees were purchased with a grant from the New York State Forestry Council.

As the year began, we started work on revising the Village Tree ordinance with a view toward increased clarity and a more accurate reflection of the way that the TC and other Village Departments work together.

In the interests of continuing education, the members of the TC read *The Hidden Life of Trees*, by Peter Wohlleben, recommending it to the Village, and ensuring that copies were on hand in the Warner Library.

The TC began investigating possible grants, including a long-desired grant for a tree inventory of the Village. We strategized about our goal of planting 100 trees per year on Village property, and continued a survey of Main Street for possible planting sites.

In February, we continued to investigate grant money, including a community forest grant program, with grants ranging up to \$300,000. Board of Trustees liaison Robert Hoyt offered his support for our efforts. The TC began reviewing a proposed revision of the Village Tree Ordinance prepared by David Aukland. The NYSDEC requested that an overgrown area on the Upper Lakes be cleared, in view of the three pipes that empty into the lake at that point. The work was done later in the year, and the area was replanted in the fall.

In March, we planned the Annual Arbor Day Celebration, which again, is one of the requirements for our designation as a "Tree City." We also began preparations for a tree giveaway of 200 trees to be given to residents to plant on their property. We decided on 100 deciduous trees (red maple and white oak) and 100 evergreen trees (Serbian spruce and Douglas fir). These were to be procured for us by Assistant Village Administrator Alissa Fasman. Volunteers would be requested from TEAC to help wrap the saplings in newspaper and bags for distribution. DPW General Foreman William McGuire took up the task of identifying locations for the 100 trees that we hope to plant in 2022. Our Arborist, Lisa Montana, having resigned after many years of faithful service, we began the search for a replacement. The TC members edited the first draft of the new Tree Ordinance. Our Secretary, Ron Tedesco, prepared an article entitled "Fourteen Useful Tips on Creating and Maintaining Your Landscape" for publication in the TEAC Newsletter.

The Annual Arbor Day Event took place on April 29<sup>th</sup> in Patriot's Park, with first-graders from Paulding School in attendance. The Mayor read a proclamation and singer-musician Bill Hurst led us all in a rousing rendition of Woody Guthrie's "This Land Is Your Land." Parks Foreman Anthony Ross and his crew planted an American Hornbeam toward the north end of the park. Tedesco, O'Brien and myself conducted an additional survey of Main Street, photographing possible locations for tree plantings. Village Attorney Kathy Zelantis was given the draft of the new Tree Ordinance for a preliminary review. Our spring tree giveaway took place on Ducky Derby Day, the trees being given out by Alissa Fasman, my son Ashlyn, and myself. All 200 trees found homes.

In May, DPW General Foreman William McGuire selected over 30 sites for planting, toward our goal of 100 trees. McGuire met with Tree Warden Peter Bartlett to select additional possible locations. Alissa Fasman provided the TC with an interactive, color-coded map of possible tree locations for our perusal during the summer prior to the fall tree planting season.

The NYSDEC's Trees for Tribes program aims to reforest New York's tributaries – small creeks and streams that flow into larger rivers and lakes – by planting trees and shrubs along these

waterways. Having decided to apply for a Trees for Tribes grant, the TC began discussing which of the possible sites for planting would best benefit from planting. It was decided to ask for volunteer help with the planting from TEAC.

Through their membership in the National Arbor Day Foundation, Tedesco and O'Brien provided the TC with ten deciduous and ten evergreen saplings.

In June the TC discussed the desirability of applying for a grant for Sarah Michaels Park, but the discussion was deferred until a conceptual plan for the park has been completed.

Representatives from NYSDEC visited Tarrytown to suggest possible locations for the Trees for Tribes saplings. David Aukland, Alissa Fasman, myself, and TEAC chair Rachel Tieger accompanied them. It was decided to plant in the recently cleared area of the Upper Lake. TEAC agreed to provide volunteers to plant the saplings.

The TC supported the plans for the Downtown Streetscape Renewal Program, being present at the public hearing to introduce the project and signing off on the species of trees selected for planting.

With Fasman's assistance, the TC reviewed the color-coded interactive map in order to further our goal of planting 100 trees on Village property. McGuire and Bartlett agreed to do a walk-thru of the proposed locations in the fall as work began.

In July, 29 locations were proposed for planting street trees, to be done by the end of September.

TC members discussed the Village Zoning Code, requiring one tree to be planted for every 10 parking spaces on parking lots. It was noted that the Village is in violation of its own Zoning Code.

The TC began planning for its second tree giveaway, to be held in the fall.

In August, it was agreed that 51 trees would be planted on sidewalks and in public parks, including Patriots Park, Neperan Park, Wilson Park, and the Riverwalk. The trees were scheduled for delivery by the end of September.

It was decided that the planting of 200 Trees for Tribes saplings at the Upper Lake would take place on 14 October, with volunteers from TEAC and the community doing the planting.

Village Attorney Zelantis provided the TC with a second draft of the new Tree Ordinance for the Village after completing her review of our work.

The fall tree giveaway was scheduled for Saturday, October 1<sup>st</sup>. Bartlett and Tedesco volunteered to hand out the trees. Volunteers from TEAC agreed to assist TC members with wrapping the saplings in wet newspaper and recyclable bags at Village Hall on the day prior to the giveaway.

Secretary Ron Tedesco provided the TC with a detailed update on the Spotted Lantern Fly.

In September, at the suggestion of Tarrytown resident Mark Nattier, the TC planted a 10' native oak tree in Wilson Park in memory of Her Late Majesty, Queen Elizabeth II of Great Britain and Ireland. A small plaque commemorates the planting.

The TC asked Tree Warden Peter Bartlett to recommend a suitable tree or trees to be planted at the Riverfront roundabout. Given the location near the river, desirable specimens should tolerate full sun, salt, and high winds. Bartlett suggested a sweet gum tree, which we will order and plant in the spring.

The TC began consideration of Trustee David Kim's suggestion to look for planting sites on North Broadway in the area around Horsefeathers Restaurant and C-Town Market.

In October, Mai Mai Margules of TEAC did a presentation for us on "Keystone" native trees, these being trees that support the most pollinators and other native fauna. Of these, oaks are the most desirable, attracting a wide range of pollinators.

Red Tsao was selected as the new arborist for the Tree Commission. Tsao serves as a consulting arborist with Save-A-Tree, and is highly qualified to assist us in our work.

A sub-committee of the TC was selected to review the third draft of the new Tree Ordinance and report back to the Commission in November.

The fall tree giveaway on October 1<sup>st</sup> was a great success. Ron Tedesco and Tree Warden Peter Bartlett gave away 50 balsam fir and 150 white spruce trees to Village residents, including one of each to the Mayor. The weather that day was exceptionally uncooperative. Fortunately, Alissa Fasman was able to provide a tent, which made the event possible.

The Trees for Tribes planting took place on October 14<sup>th</sup>. About 200 native shrubs and trees were planted at a site on the Upper Lake opposite the Tarrytown Water Pump station on 401 Neperan Road. The area was prepared in advance for planting by the DPW. Volunteers from TEAC and the community planted the saplings.

Thus, the total for 2022 was 254 trees and shrubs planted on Village property and 400 trees given away to home owners to plant on private property.

For all this we owe a huge debt of gratitude to the DPW for their unfailing collegiality and support, to the members and volunteers of TEAC for being there whenever we needed extra hands, and especially to Assistant Village Administrator Alissa Fasman for expertly handling the logistics for all our projects and generally serving above and beyond the call of duty.

At the end of the month, I wrote an article on "Environmentally Responsible Christmas Trees" for the November edition of the TEAC Newsletter

In November, Red Tsao was introduced to and welcomed by the Tree Commission. The sub-committee on the new Tree Ordinance presented a copy of the document with changes highlighted in purple and points still to be decided in yellow. Since no agreement was forthcoming on these points, it was agreed that we would think about them for a month and try again to come agreement at our December meeting.

Our December meeting was a work session and holiday dinner at Horsefeathers Restaurant. Cathy Ruhland was introduced to and welcomed by the members as our new liaison with TEAC. It was decided that the new Tree Ordinance would be accompanied by a list of suggested trees for homeowners to plant to replace trees taken down. Three lists would be collated: Recommended trees from NYSDEC and Cornell University, and the list of "Keystone Species" from the National Wildlife Federation. The combined list would be reviewed by our two arborists with a

view to removing species currently threatened by insects or disease and those that do not tend to withstand winter storms. The list would include basic information about each tree: habitus, light and water requirements. At that point, dinner was served and our work for 2022 concluded,

Respectfully submitted,

Martin Hauser, Chair & Ron Tedesco, Past Secretary  
Village of Tarrytown Tree Commission