



## Zoning Board

Village of Mamaroneck

169 Mount Pleasant Avenue - Third Floor

Mamaroneck, New York 10543

(914) 825-8758

Thomas Murphy and Board of Trustees  
Mayor

Robin Kramer, Esq.  
Chair

**To:** Village Board of Trustees

**From:** Zoning Board of Appeals

**Cc:** Jerry Barberio, Village Manager  
Daniel Sarnoff, Deputy Village Manager  
Robert Spolzino, Village Attorney  
Christy Mason, Deputy Village Attorney  
Michael Hartman, Zoning Board Attorney  
William Long, Planning Director  
Amber Nowak, Assistant Planner  
Agostino Fusco, Village Clerk  
Sally Roberts, Deputy Village Clerk  
Barbara Ritter, Office Assistant

**Date:** September 10, 2020

**Re:** **Recommendation Concerning Amendments to the Village's Tree Ordinance – Chapter 318**

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Dear Mayor and Village Board of Trustees:

Thank you for bringing this matter to the Zoning Board's attention. The Zoning Board is greatly concerned with the preservation of the Village's character of which trees enhance that character. The Zoning Board has the following point of consideration regarding the proposed Tree Ordinance Amendment:

- That proposed Chapter 318-8(H) reads as follows, "Any applicant who has been denied a tree removal permit may appeal to the Village Manager or the Village Manager's designee. The appeal must be submitted in writing to the Village Manager or the Village Manager's designee within 30 days of the determination. In determining an appeal, the Village Manager or the Village Manager's designee may consult a certified arborist selected by the Village Manager or the Village Manager's designee and paid for by the property owner."
- That this poses a concern in that one person within the Village or their designee is making the decision about whether a tree is to be removed when a private property owner is aggrieved by a denial of a tree removal permit.

- Consider allowing the Planning Board to hear an appeal when a private property owner is aggrieved by a denial of a tree removal permit. This ensures (1) that a collective body is rendering tree removal decisions and (2) provides discretion as to whether another tree should/could be planted somewhere else on the property, if the subject tree(s) is removed.

The Zoning Board finds this recommendation may assist in protecting the Village's tree canopy while retaining the Village's character.