

**RESOLUTION PB-02 OF 2014
APPROVING A TREE PLANTING PLAN
FOR SPOOK ROCK HOLDING, INC.,
133 SPOOK ROCK ROAD, MONTEBELLO**

WHEREAS, an application has been made for approval of a tree planting plan by Spook Rock Holding, Inc., affecting land known as 133 Spook Rock Road, Montebello, New York, and designated on the Town of Ramapo Tax Map as Section 41.17, Block 1, Lot 65.2, and having a lot area of 98,372.62 square feet; and

WHEREAS, said application results from the removal of nine trees at the subject premises without a tree removal permit; and

WHEREAS, the applicant asserts that the trees that were removed were, at the time of removal, dead or dying or were severely damaged as a result of a storm; and

WHEREAS, pursuant to Section 176-6(B) (3) of the Montebello Tree Preservation Law, in addition to dead or dying trees and trees that constitute a danger to persons or property, a property owner may lawfully remove, with a permit but without cause, one tree for every 10,000 square feet of lot area, to a maximum of eight trees in a two year period or twelve trees in a six year period; and

WHEREAS, applying said formula to the subject property, it appears that the owner could have obtained a permit to remove up to eight trees without cause in addition to those which were dead, dying or a danger; and

WHEREAS, the applicant has submitted a mitigation plan and project narrative that shows the number and location of removed and to be removed trees, and a planting plan for the area; and

WHEREAS, this Board has reviewed the memorandum of Martin K. Spence, PE, Village Engineer, which made no additional recommendations with respect to the proposed tree planting plan;

NOW, THEREFORE, BE IT RESOLVED, that the tree planting plan consisting of the following document: "Spook Rock Tree Plantings" marked received by the Village on February 26, 2014, submitted by Spook Rock Holding, Inc., affecting land known as 133 Spook Rock Road, Montebello, New York, and designated on the Town of Ramapo Tax Map as Section 41.17, Block 1, Lot 65.2, be and hereby is approved, subject to the following conditions:

1. Applicant shall comply with proposed conditions S-1 through S-4 of the memorandum of Martin Spence, P.E., Village Engineer, dated March 10, 2014; and
2. Applicant shall provide proof to the Planning Board Clerk of a minimum two-year nurserymen's guaranty for the new plantings within thirty days after the plantings are completed.

MOTION: Member Steven Beldock

SECOND: Member Thomas Ternquist

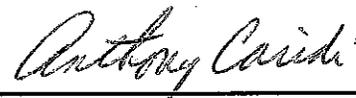
MEMBERS PRESENT:

YEA or NAY

Anthony Caridi, Chairman
Jane Burke, Vice Chairman
Michael Iatropoulos, Member
Thomas Ternquist, Member
Donald Wanamaker, Member
Steven Beldock, Member

Aye
Aye
Aye
Aye
Aye
Aye

Upon vote, the Resolution carried unanimously.



Anthony Caridi, Chairman

Dated: **March 11, 2014**