

Section 4.0. Trees

Chapter 270 of the Yorktown Town Code regulates certain aspects of tree cutting and conversion of lands from woodlands to otherwise maintained lands. In this regard, “protected trees”, “land conversion”, “protected woodlands” and “specimen trees” are defined by the code with an eye towards the preservation of important woodlands and trees as a natural resource in the town. The proposed Underhill Farm development on Underhill Avenue will require the removal of trees and converting of woodlands to allow for the construction of residential and commercial buildings that are compliant with the Zoning Code. It is noted that a wetlands permit is also required for wetland and buffer encroachments as applied under Chapter 178 of the code.

Project Overview

The applicant owns the 13.78 acre “Soundview School” parcel at the corner of Underhill Avenue and Route 118. An updated tree survey was completed in 2021. A total of 603 “protected trees” were identified within the regulated building envelope on that parcel. Based on the current site plans which include the buildings, parking, and stormwater requirements, it was determined that 400 of those trees would have to be removed for the proposed development (approximately 10.9 acres, See Sheet 1). Of the 714 trees that were surveyed, 230 trees are located within the 100-foot setback to town-regulated wetlands and are also subject to the Town Wetlands Law in addition to the Tree Law.

Tree Survey Results

As noted, a total of 714 trees were located on the Underhill Farm property. Of these trees, 603 are “protected trees” under the statute. One hundred trees that were surveyed are identified as non-native and/or invasive species under the code and therefore are not protected. Sixty-nine “specimen trees” as defined by the code were identified. Represented species are listed below.

Tree Species – Underhill Farm			
Cottonwood/Aspen	<i>Populus spp.</i>	Black cherry	<i>Prunus serotina</i>
Sugar maple	<i>Acer saccharum</i>	Mulberry*	<i>Morus nigra</i>
Red maple	<i>Acer rubrum</i>	Slippery elm	<i>Ulmus rubra</i>
Norway maple*	<i>Acer platanoides</i>	Green ash	<i>Fraxinus pennsylvanica</i>
Black locust*	<i>Robinia pseudoacacia</i>	Pignut hickory	<i>Carya glabra</i>
Willow	<i>Salix spp.</i>	Tulip tree	<i>Liriodendron tulipifera</i>
Apple*	<i>Malus spp.</i>	Red oak	<i>Quercus rubra</i>
Japanese maple*	<i>Acer palmatum</i>	Sycamore	<i>Platanus occidentalis</i>
White pine	<i>Pinus strobus</i>	Walnut	<i>Juglans nigra</i>
Norway spruce*	<i>Picea abies</i>	Basswood	<i>Tilia americana</i>
Yellow birch	<i>Betula lenta</i>	Arbor vitae	<i>Thuja occidentalis</i>
Hemlock	<i>Tsuga Canadensis</i>	Catalpa	<i>Catalpa speciosa</i>
*identified as non-native and/or invasive species			

Of the 400 protected trees that are to be cut, 194 are smaller cottonwood/aspens trees (less than 18” in diameter). These are fast-growing, opportunistic trees with little landscape. In total, it is expected that 201 protected trees will be saved (See Sheet 2). Twenty-four specimen trees will be preserved.

Application of Tree Law

The Yorktown Tree Code (Chapter 270) defines a protected woodland as “A woodland as herein defined that is 10,000 square feet or greater in area regardless of individual property boundaries.” The western part of the subject site, as it lies along Glen Rock Street, would be regulated as a “protected woodland”. This 7 acres of trees is isolated as a woodland, considering the residential and commercial development and landscaped properties in the surrounding area. As has been discussed at prior Planning Board meetings, this part of the site was cleared as open field as recently as the 1980’s (see the historic aerial photos attached to this EAF). This resulted in the establishment of a woodland based on fast-growing, opportunistic species (i.e., black locust and cottonwood). The survey confirms that these are by far the dominant species in this area. As expected, the larger, more mature trees on the site are located closer to the existing buildings and managed landscape.

This property functions in several ways that are beneficial to ecological and water resources. The dense woodland on the western part of the site slows down and filters stormwater runoff, and shades the understory during the hot summer months. These trees also provide root structure and leaf litter to prevent erosion. In general, trees also provide unique habitats for tree-dwelling species and sequester carbon from the atmosphere. On the Underhill site, however, the west side of the site is made up of opportunistic tree species such as cottonwood and black locust, which offer little in the way of habitat or vegetative diversity and are typically considered to be “nuisance” species. The larger, more mature trees in the developed parts of the site provide better vegetative diversity and ecological strata for other wildlife species.

A Tree Removal Permit is required for the cutting of 10 trees or more, removal of specimen trees, and woodland disturbance greater than 10,000 sf. The proposed development meets all of these thresholds, with 400 protected trees and 92 non-protected trees proposed for removal, 45 “specimen” trees and 6.9 acres of woodlands to be disturbed.

Proposed Mitigation

The applicant proposes a multi-pronged approach to mitigating both the removal of the trees and the disturbance to the wetland buffer. A landscaping plan is included with this EAF; the final landscaping and tree replacement plan will use the following criteria for the development of the plan.

1. Tree planting on the development site. New trees will be planted as part of the site landscaping plan and wetland creation and buffer enhancement. Shrubs will be planted as part of the site landscaping and the buffer enhancement. While it is not possible to replace all trees in kind on a moderate density mixed use property such as this one, there are opportunities to enhance and restore the remainder of the woodland and mitigate the loss of overall function.
2. A significant number of invasive species will also be removed from the site. A total of 92 black locusts and Norway maples will be removed, both of which are designated as invasive species by the Lower Hudson Partnership for Regional Invasive Species Management. In some specific locations, select Norway maples will not be cut in order to preserve screening or viewsheds from nearby locations. At this time it is expected that 19 Norway maples will remain on the perimeter of the site.
3. Regarding stormwater and erosion control, a stormwater management plan has been prepared and will be implemented to offset the change in surface conditions on the site.

The proposed stormwater practices will be planted using native wetland and transitional area species as shown on the plan set, duplicating in part the vegetative diversity and density of the existing plant community.

4. Regarding the flood control and storage function of the existing woodland, the applicant proposes the restoration and expansion of the pond and its associated wetland. The existing stream channel will be stabilized and will be re-planted with native tree and shrub species.
5. Regarding vegetative diversity and invasive species management, the applicant is proposing a detailed invasive species management program for the property and a landscaping plan that will incorporate a number of native species into the landscape. All new trees will be of native species. As noted above, a large number of the existing trees to be removed are non-native or nuisance species. All other provisions of the tree code as it relates to mitigation will be considered as the project moves forward.
6. By incorporating these concepts into the final landscaping and tree mitigation plan, we believe that we can offset the loss of trees on the development site. The current conceptual landscaping plan includes provision for the planting of 336 new trees plus a significant number of native shrubs (See Sheet 3). Section 270-10 also provides for the payment into the Town tree fund of \$100 for every protected tree removed that is not otherwise replaced. Pursuant to final discussions with the Planning Board the applicant will also donate to this fund as deemed to be appropriate.

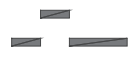
The combination of the removal of non-native invasive trees, planting of new trees and contribution to the tree fund will substantially offset the impacts of the proposed tree removal. A composite mitigation plan is provided as Sheet 4, showing trees to be cut, preserved and added. Sheet 5 presents the list of all protected trees on the property and the expected status of those trees.



X - Existing tree to be cut

- Total Number of Existing Trees - 714
- Total Number of Protected Trees - 603
- Protected Trees to be Removed - 402
- Protected Trees to Remain - 201
- Non-Protected Trees to Remain - 19
- New Trees to be Planted - 336

See Sheet 5 for listing of individual trees to be saved or removed.



Existing Trees to be Removed
UNDERHILL FARMS

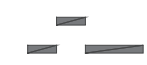
Underhill Avenue
 Yorktown Heights, NY



● - Existing tree to remain

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Existing Trees to Remain
UNDERHILL FARMS

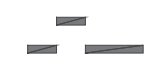
Underhill Avenue
 Yorktown Heights, NY



● ● - New trees to be planted
● ●

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New Trees to be Planted

UNDERHILL FARMS

Underhill Avenue
Yorktown Heights, NY



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Data Sources:
 "Preliminary Landscape Plan", Blades and Goven Landscape Architects
 "Tree Removal Plan", Site Design Consultants
 "Tree Survey prepared for Unicorn Soundview LLC" by Badey and Watson Engineering and Surveying

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Composite Plan
 Trees to be Removed, Preserved
 and Planted

UNDERHILL FARMS

Underhill Avenue
 Yorktown Heights, NY

