

Donna Conkling

From: Mayor
Sent: Wednesday, January 03, 2018 2:02 PM
To: Donna Conkling
Subject: Fw: Tree Code

From: Ofir Barnea <ofirbarnea@yahoo.com>
Sent: Wednesday, January 3, 2018 1:08 PM
To: Mayor
Subject: Re: Tree Code

Mayor Hochvert,

I appreciate your reply.

I still strongly oppose the measure.

For purposes of property rights, there should really no distinction between a developer and a homeowner.

When a person buys real estate, they should have freedom to do anything that causes no demonstrable harm with their land. Using the law to force certain community standards is a bridge too far when it comes to private property. Plainly speaking, if an individual wants to buy a home, it should be within their rights to clear every tree from the land. That land belongs to them. In fact, the majority of what's being purchased IS land. Our real estate values are heavily weighted towards the value of the land, and not the structures built upon the land.

The residents who don't like how builders site their new builds can gather funds and outbid the builders when they attempt to purchase homes to raze.

I believe the current tree code is too onerous, and I believe that any further tightening of the standards or imposition of additional monetary fees and or fines on residents performing work on land they already own at considerable expense is a gross intrusion into the lives of our residents. Scarsdale isn't a co-op with a Home Owners' Association; It's a village with individual parcels of land, over which the owners should have complete autonomy so long as no harm is being done. Tree removal does no harm.

Thank you again for your time and consideration

Ofir Barnea

On Wednesday, January 3, 2018, 12:12:59 PM EST, Mayor <mayor@scarsdale.com> wrote:

Ofir

Sometimes the Code can be misunderstood . What the current Tree Chapter gives the Village Engineer are several criteria upon which to grant individual tree removals. That would not change if the recommendations from the ad hoc committee were adopted. The concern that many residents express relates to to builders who seek to maximize profit by removed trees, thus making their work easier and the building siting easier.

The Chapter is designed to find a balance of our individual rights and the public benefit. There will be further discussion of the proposed updates of the Tree Chapter on 1/23 at Village Hall at 6 PM.

Dan

From: Ofir Barnea <ofirbarnea@yahoo.com>
Sent: Tuesday, January 2, 2018 9:23 PM
To: Mayor; Donna Conkling
Subject: Tree Code

Dear Mayor Hochvert and Ms. Conkling,

My name is Ofir Barnea, and my family reside at 6 Magnolia Road.

I'm writing to voice my strong opposition to the proposed change in the village tree code.

Simply put, the proposed changes would be a violation of basic principles of property ownership.

By what possible justification can the village presume to tell any landowner what trees can and what trees cannot be removed from property he/she owns?

It is well beyond reason, therefore, to propose that a homeowner who removes a tree from his own land, must somehow pay to have a replacement planted elsewhere.

If the past few weeks have thought us anything it's that we all already pay obscene property taxes. If the village leadership believes planting trees is a good use of those funds, by all means they may do so and accept the consequences at the ballot box. But to charge additional penalties of people exercising their rights to treat their small parcel of land as they see fit is beyond the pale.

We are not renters. We are not tenants of the village land. What people do on and in their own private property should come without penalty and be free of regulation unless actual public risk or harm can be presented to create a compelling public interest.

Tree canopies are no such public interest and I hope the village sees the dangers of allowing to intrude into such matters.

People should be able to cut down any tree for any reason so long as it is on their land, and therefore belongs to them.

Thank you
Ofir Barnea