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Mr. Steven A. Tuozzolo
New York City School Construction Authority (SCA)
Manager Community Relations CM – Manhattan
T: 718.752.5226 F: 718.472.8190
E: STuozzolo@nycsca.org

Re: NYC Parks Street Tree Damage due to improper/non-permitted SCA construction staging area limits
Location: 136 East 16th St, New York, New York 10003

Dear Mr. Tuozzolo,

At the behest of Karen Mullarkey of the 138 East 16th Street Association, I was hired as an ISA*-Certified Arborist to assess damages inflicted upon an 22" Dia. London Planetree caused by SCA construction conditions at Washington Irving High School in early July of this year. Contained in this letter, which I write on behalf of Ms. Mullarkey, is my diagnosis made on July 30, 2017 of the extensive trauma to the tree, as well as the proper treatment to preserve its health and longevity.

According to Ms. Mullarkey and her neighbors, a large truck hit the involved London Planetree on July 10th by using the E. 16th south curb and sidewalk to avoid the SCA Construction Enclosure, located on the north side of the street between Irving Place and 3rd Avenue. In June 2017 month earlier, a similar but more grievous incident occurred as a result of the same need to avoid the Enclosure, when a truck hit a large tree in front of 130 E. 16th Street and completely destroyed it.

Eventually, in response to these and other incidents of traffic accidents, the New York City Department of Transportation (DOT) staff assessed site conditions and determined, on July 21, 2017, that the SCA Enclosure was in violation of its Permit M022017171A71 by failing to maintain the minimal lane width required by all Vehicle Classes for safe, unencumbered passage. From DOT inspector site visit: "...the contractor is occupying 18' feet and allowing only 11'3" for vehicular traffic to pass. Their Occupancy of Roadway Permit requires 1 12' lane to be maintained. A summons was issued to the permittee."

The SCA remedied the violation three days later on July 24 by shifting the Enclosure fence northward (8"-12" according to a conversation with Ms. Mullarkey) for its entire length. Unfortunately before this remedial action was taken, the fatal and severe impacts to the street trees occurred owing to the negligent placement of initial Enclosure fencing.

E. 16th St. London Planetree Damage

On Sunday, July 30 I made a 1-hr visit to the E. 16th site to inspect the tree and to learn what had happened to it and when the event occurred. My first important observation was the overall healthy status of the tree canopy. See attached PDF Exhibit 1. This indicates that the tree is worth preserving. The second however, was the severe depth of the truck wound and the great amount of tree bark that was removed. See PDF Exhibit 2.

Treatment: Bark Tracing

Tree bark, which encases trees to protect interior wood, contains a thin, innermost layer called phloem. Phloem conducts nutrients and sugars throughout the tree. Wounded trees can often grow new bark (or callous tissue) to seal off this vital phloem layer and heal on their own, but not with a wound as large as one inflicted or with such a ragged edge as that on the involved London Planetree. Essential is a bark treatment measure known as 'bark tracing', which hastens the healing process by reducing the length of damaged tissue, and, disinfecting it. In turn, treatment encourages the long-term health and vitality of the tree.



Ramifications of Non-Treatment

Left untreated, moisture, insects and biological pathogens -- by seeping/burrowing under the bark along wound perimeter (and eating away at the rich food source in the exposed phloem layer) -- will cause all of the bark enveloping the limb at the site of the wound *to fall off*. This will 'girdle' the limb and essentially starve the entire canopy above it. The limb will then become hazardous to all people and objects that come near it -- with the SCA bearing associated liability. When the tree dies, not only will the SCA have to answer to the uproar of E. 16th residents for having altered the character of their shady, tree-lined street, but also be subject to reimbursing NYC Parks for the cost of the tree, the details of which are outlined next.

Actual Tree Replacement Costs

Toward their replacement and full compensation to NYC, the value of destroyed trees is routinely calculated by NYC Parks Tree Damage Report, an example of which is submitted here as PDF Exhibit 3. By such means, the value of the London Planetree could easily approach \$75K. Clearly, all treatment efforts to preserve the London Planetree are in the best interest of the SCA, especially since the agency is potentially subject to full replacement cost of the large tree destroyed at 130 E. 16th St in early June 2017.

Bark Tracing Treatment Specifics

Time Required: 4-8 hours to trace/clean approx. 12 linear feet (wound circumference. See Exhibit 1)

Cost Estimate: \$1,000 - \$1,500 (Certified Arborist, Laborer(s), Mobilization, Special Circumstances)

Timing: The sooner the treatment is performed the better! Treatment response will be immediate because leaves are making sugars and chemical compounds that will enhance active healing. The next best period of time is before leaf fall. Absolute last date is before the tree becomes fully dormant in Mid to Late November

Street Closure Work Condition– Work requires 12' freestanding ladder placed directly beneath wound. Full 8-hr work day allowance, coordinated with other SCA street-closure work, would be most advantageous.

Highly Recommended: Tree Bed Expansion for Improved Root Zone

Expansion of tree bed to Parks standard 5' x 10', with full protective tree guard, will maximize tree vigor and be an ongoing means to prevent further injury to this irreplaceable tree. Expansion will require both Parks and DOT permits. Filing fees, all material and labor for this work to be paid by the SCA.

In closing, I submit this letter with the utmost respect for Ms. Mullarkey, who in the best interest of her community is taking action to preserve NYC's urban tree canopy and the many benefits it provides. In light of them, Karen Mullarkey, the 136 E. 16th St. Association and I thank you for your attention, and trust that you will give full consideration to all the information communicated in this letter and related attached documents.

Yours truly,

A handwritten signature in cursive script that reads "Michael V. Ruggiero".

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Attached: PDF containing Exhibit 1, Exhibit 2, Exhibit 3

Cc: Lucille Songhai

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(cont'd)



*ISA – International Society of Arboriculture



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