

Chapter 6: Pine Barrens Credit Program
Recommended Action on CLUP Amendments

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Notes

- When referring to the chapter, the font effects mean the following:
 - Black text without underlining: original 1995-2005 text
 - Black text with underlining: New proposed amendment text that Commission authorized to be advanced or original 1995-2005 text which was proposed to be stricken but which Commission desired to retain
 - **Yellow-highlighted text**: Newly rewritten text prepared by staff as a result of Commission requests generated during the 2013 and January 2014 CLUP Worksessions and text the Commission suggested should be stricken.
- CLUP Sections that are not listed have no proposed amendments.

Review Date	Section	Title	Synopsis of Amendment	Conclusion and Action
12/18/13				Inserted new text in <i>Section 6.1 Allocation of Pine Barrens Credits</i> and <i>Section 6.3 Method of Allocation</i> . Changes address allocations to parcels in the expanded Core Preservation Area in the Carmans River Watershed as a result of the June 2013 NYS Legislature amendment to Article 57 in June 2013.
	6.4.2.1	Brookhaven Pine Barrens Credit Program overview	Added “As of right Credit Redemption” and “Non as of right Credit Redemption” to section.	Pending review.
4/17/13	6.4.2.2	Brookhaven “ <u>As of Right</u> ” Residential Overlay District specifications	Added “As of Right” to title.	Change word “may” (which refers to “as of right”) to the word “shall” to make it consistent with 6.4.2.2.3 which already uses the word shall).

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4/17/13	Figure 6-4	Riverhead as of right receiving area map - <u>Area "A" Calverton</u>	Added "as of right" and "Area "A" Calverton" to map title	Town of Riverhead sent in new, revised receiving area maps showing receiving areas east of Tanger (Riverhead created these in the 2000-2001 timeframe). These are to be added to the amendments and will be substituted for existing maps. (Staff was to follow up and obtain electronic pdf version of map submitted on 4-17-13 and verify when and how the receiving area it contains was formally substituted for the one it replaced.)
4/17/13	Figure 6-7	Southampton <u>as of right</u> receiving area map	Added "as of right" to map title	<p>The phrase "<i>as-of-right</i>" will not be added to Figure 6-7, the "<i>Southampton Receiving Area Map</i>," due to the fact that some of the receiving areas shown in the maps are not "as-of-right."</p> <p>Town of Southampton was to submit revised, corrected and updated Receiving Area (RA) maps with corrected legends, and accompanying corrected parcel tables (showing tax map parcel numbers) which will delete currently listed parcels which are actually in the Core.</p>
4/17/13	Figure 6-7 (p.2)	Southampton <u>as of right</u> receiving area map	Added "as of right" to map title.	ditto
4/17/13	Figure 6-7 (p.3)	Southampton <u>as of right</u> receiving area map	Added "as of right" to map title.	ditto

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4/17/13	Figure 6-7 (p.4)	Southampton <u>as of right</u> receiving area map	Added “as of right” to map title.	ditto
4/17/13	Figure 6-7 (p.5)	Southampton <u>as of right</u> receiving area map	Added “as of right” to map title.	ditto
4/17/13	6.7.3.4	The Commission shall consider the appeal within sixty (60) days of receipt of an appeal, and may shall schedule and hold a hearing within that time. No default approval shall be granted to any appeal if such a hearing is not held within this time period. The appellant shall be given an opportunity to present arguments and relevant material at the hearing.	Added clarification about scheduling and holding a hearing with the appeal period and no default approval and appellant opportunity to present at hearing.	Advance revised language regarding Letters of Interpretation
4/17/13	6.7.3.5	The Commission shall decide the appeal within sixty (60) days of receipt of the appeal the appeal hearing, and may seek the advice of the Clearinghouse Board. No default approval shall be granted to any appeal if such a decision is not rendered within this time period. The Commission may confirm, increase, or decrease the allocation to be received from the Clearinghouse. A new Letter of Interpretation containing the Commission’s final allocation(s) to the subject parcel(s) will be issued following such a decision. (Source: Current administrative practice of Commission and staff recommendation.)	New subsection. Added clarification on deciding the appeal, seeking advice of the Clearinghouse, and issuing a new Letter of Interpretation will be issued following a decision.	Advance revised language regarding Letters of Interpretation