



## Public Hearings on Development Applications and Credit Appeals

Originally adopted 7/13/94; amended 1/7/98 and 3/17/99;

Provision regarding hearing extensions adopted 1/15/03;

Provision regarding credit program appeals added and adopted 8/11/10

The Commission applies the following procedures and principles to public hearings required under New York Environmental Conservation Law Article 57 (the statute containing the Long Island Pine Barrens Protection Act) and the Central Pine Barrens Comprehensive Land Use Management Plan, dated 1995 for development applications in the both the Compatible Growth Area and the Core Preservation Area and for Pine Barrens Credit Program appeals.

***Scheduling of Hearings:*** Where hearings are required for Compatible Growth Area or Core Preservation Area applications or credit appeals, the Commission determines the date of the hearing, and normally does so by resolution during a work or regular session.

***Coordination of Hearings for Different Applications or Credit Appeals:*** When applications or credit appeals are pending from several distinct applicants or Pine Barrens Credit petitioners (individual who is submitting a credit appeal) hereinafter “PBC petitioner”, the Commission will attempt to schedule the required hearings on the same date.

***Locations:*** Hearings are generally held as part of the Commission's regularly scheduled meetings. These meetings are frequently held at the Commission office, one of the three town's Town Halls, or at a Suffolk County facility. Other locations are possible, but applicants/PBC petitioner will generally know the location of their hearing at the time that the Commission schedules it, usually three weeks prior to the hearing date.

***Fees:*** No application fee is charged by the Commission for submitting an application, credit appeal or holding a public hearing; however, the legal notice costs must be paid by the applicant or PBC petitioner as noted below.

***Legal Notice:*** Publication of a legal notice of the hearing in a newspaper of general circulation within the Central Pine Barrens is to be arranged by the Commission staff, with the cost to be borne by the applicant/PBC petitioner. The cost of the legal notice must be paid by the applicant/PBC petitioner on or before the day of the hearing. A waiver of the legal notice cost may be obtained from the Commission upon a valid demonstration of financial hardship.

***Stenography:*** Stenographic transcription will be arranged by the Commission staff for use in the Commission's review, with the cost borne by the Commission.

***Withholding of Written Decisions or Credit Certificates and Processing of Further Credit Program Applications:*** No written decision or permit will be provided to the applicant unless the cost of the legal notice publication has been paid by the applicant as required above. For PBC petitioners, no credit program applications for any parcel shall be processed or credit certificates provided until the cost of the legal notice publication has been paid by the PBC petitioner.

***Other Costs:*** The applicant or PBC petitioner may provide for attorneys, consultants or other professional assistance at any hearing, but is responsible for bearing the complete costs of any such assistance. All other costs incurred at the applicant's or PBC petitioner's initiative are, of course, to be paid entirely by the applicant /PBC petitioners.

***Requests for Extensions and Continuation of Scheduled Hearings:*** The Commission shall consider requests for an extension or continuation of a previously scheduled hearing. Commission staff shall instruct applicants/PBC petitioners that have requested a first extension or continuation of a hearing, where such request is received at least three weeks before the scheduled hearing date, that such request shall be granted by the Commission. This policy in no way undermines the Commission's authority to grant extensions on its own motion.

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