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Resolution Regarding the Pine Barrens Credit Allocation Appeal of Milwest Associates

*Central Pine Barrens Commission Meeting of October 19, 2005,
Quogue Wildlife Refuge, Quogue, NY*

Commission members present: *Mr. Scully (for New York State), Mr. Deering (for Suffolk County), Mr. Turner (for Brookhaven Town), Mr. Kent (for Riverhead Town), and Mr. Shea (for Southampton Town).*

Whereas, Milwest Associates, by its attorney, Irving Like, applied to the Pine Barrens Credit Clearinghouse for Letters of Interpretation claiming ownership of 87 Suffolk County Tax Map parcels containing 272.033 acres of property within the Core Preservation Area of the Town of Southampton, and

Whereas, the Clearinghouse issued 87 Letters of Interpretation for the parcels dated August 12, 2005 and issued a replacement Letter of Interpretation for one of the parcels on August 24, 2005 and the cumulative allocation of Pine Barrens Credits in the LOIs was 41.84, and

Whereas, Milwest filed appeals of the LOI allocations on August 17 and October 3, 2005 to the Central Pine Barrens Joint Planning and Policy Commission seeking up to 54.57 PBCs for the parcels, and

Whereas, the Commission held a public hearing to consider Milwest's appeal, now therefore be it

Resolved, the Commission finds that Milwest acquired one described parcel of land in the Town of Southampton pursuant to a deed dated March 8, 1988 and filed in the Suffolk County Clerk offices on May 23, 1990 at Liber 11072 Page 447, and be it further,

Resolved, the Commission finds that Milwest has established that it owns the parcel and its source of title is superior to any competing adverse claim, including the chain of title in which the Maps of Westhampton Manor and Beachmont Park were filed, and be it further,

Resolved, that if all of Milwest's adjacent holdings are treated as individual parcels, Milwest would own 11 tax map parcels, and be it further,

Resolved, the Commission elects to allocate 47.70 Pine Barrens Credits to the Milwest holdings as per the following chart:

Parcel(s) (as shown on Young and Young map 6/6/05)	Tax Map Number(s) (illustration only-existence of separate tax parcels not established)	Area (in acres)	Factor	Allocation Provision (of the Central Pine Barrens Comprehensive Land Use Plan)	PBC yield
A, B, C, D	900-244-2-1.002 900-244-2-2, 3, 7- 9, 11-16, 18-28 900-245-2-5, 18-20, 22-36 900-246-1-4, 5-7, 13.001, 14-21, 23 900-285-1-8-11, 13, 15, 20-27, 29- 31	269.3884	0.16	§6.3.1.1.9	43.10
E	246-2-21	0.0551	0.16	§6.3.1.1.9 and §6.7.6.7	0.10
F	246-2-14	0.0988	0.16	§6.3.1.1.9 and §6.7.6.7	0.10
G	285-2-23 (p/o)	0.42	0.16	§6.3.1.1.9 and §6.7.6.6	1.00
H	285-2-24	0.83	0.16	§6.3.1.1.9 and §6.7.6.6	1.00
I	285-2-25	0.83	0.16	§6.3.1.1.9 and §6.7.6.6	1.00
J	285-2-8	0.0551	0.16	§6.3.1.1.9 and §6.7.6.7	0.10
K	285-2-11	0.1377	0.16	§6.3.1.1.9 and §6.7.6.7	0.10
L	285-2-16	0.0551	0.16	§6.3.1.1.9 and §6.7.6.7	0.10
M	285-2-20	0.0551	0.16	§6.3.1.1.9 and §6.7.6.7	0.10
N	285-2-33	0.1091	0.16	§6.3.1.1.9 and §6.7.6.6	1.00

Motion by: Mr. Kent

Seconded by: Mr. Shea

Ayes: Unanimous

Nayes: None