



CENTRAL
PINE
BARRENS

JOINT
PLANNING
&
POLICY
COMMISSION

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Member

**Session of June 24, 1998
Quogue Wildlife Refuge
Quogue, New York**

Present: Mr. Cowen (for State of New York), Mr. Girandola (for Town of Brookhaven), Mr. Proios (for Suffolk County), Mr. Shea (for Town of Southampton), and Mr. Villella (for Town of Riverhead).

Resolution on the Letter of Interpretation Appeal of The Woodstock Company ("the Appellant") for Suffolk County Tax Map Parcel 200-529-3-35

WHEREAS, pursuant to the Pine Barrens Credit Program contained in the Central Pine Barrens Comprehensive Land Use Plan (the "Plan"), the Appellant by its President, Robert Wallkam, applied for and was issued a Letter of Interpretation, dated March 30, 1998, by the Pine Barrens Credit Clearinghouse allocating 0.10 Pine Barrens Credits to the above referenced tax map parcel; and

WHEREAS, the Appellant, has appealed the allocation of 0.10 Pine Barrens Credits by a letter dated April 17, 1998; and

WHEREAS, the Commission scheduled a discussion of the appeal for June 2, 1998 and representatives of the Appellant did not attend; and

WHEREAS, the Appellant by letter dated June 6, 1998 requested an extension of the decision deadline until June 24, 1998; and

WHEREAS, Mr. Wallkam provided oral testimony to the Commission on June 24, 1998; and

WHEREAS, by the Petition and by the oral testimony of the Mr. Wallkam, the Appellant sought the allocation of one (1) Pine Barrens Credit to the tax map parcel alleging that the parcel is "a legal, single and separate, building lot, declared so in 1989 by the Suffolk County Board of Health and by the Town of Brookhaven in 1991"; and

WHEREAS, Mr. Wallkam supplied copies of a map, dated April 6, 1989 signed by a Suffolk County Department of Health official on September 26, 1989, depicting the construction of a single family dwelling on the parcel pursuant to a Suffolk County Department of Health Board of Review determination of May 3, 1989, and also submitted a letter from the Town of Brookhaven Planning Board, signed by the Acting Chairwoman dated April 10, 1991, which states, in part, that the "Building inspector [is] authorized to issue building permits for the [parcel]" after certain requirements are satisfied including posting a bond and securing health department approval; and

P.O. Box 587
3525 Sunrise Highway
2nd Floor
Great River, NY
11739-0587

Phone (516)224-2604
Fax (516)224-7653

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WHEREAS, the parcel is located approximately 100 feet from an existing improved road; and

WHEREAS, the adjacent parcel between the subject parcel and the existing improved road is developed with a single family home; and

WHEREAS, the Commission considered the merits of the appeal at its June 24, 1998 meeting, together with a review of prior Pine Barrens Credit appeals; now therefore be it

RESOLVED, that the Letters of Interpretation appeal for the above referenced parcel is granted for the following reasons:

1. The parcel is substantially similar to a roadfront lot which would be allocated 1.00 PBC pursuant to the Plan;
2. The development of the parcel with a single family home was permitted pursuant to the approval of the Town of Brookhaven Planning Board and the Suffolk County Department of Health Board of Review.
3. The Commission determines that the Appellant's circumstances warrant revising the allocation of Pine Barrens Credits to 1.00 PBCs.

Record of Motion:

Made by:

Mr. Girandola

Seconded by:

Mr. Cowen

Yea Votes:

Unanimous