



CENTRAL
PINE
BARRENS

JOINT
PLANNING
&
POLICY
COMMISSION

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Member

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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 Andrew Varanelli
("the Appellant") for Suffolk County Tax Map Parcel 200-511-5-107**

WHEREAS, pursuant to the Pine Barrens Credit Program contained in the Central Pine Barrens Comprehensive Land Use Plan (the "Plan"), the Appellant applied for and was issued a Letter of Interpretation, dated March 30, 1998, by the Pine Barrens Credit Clearinghouse allocating 0.35 Pine Barrens Credits to the above referenced tax map parcel; and

WHEREAS, the Appellant has appealed the allocation of 0.35 Pine Barrens Credits by a letter dated April 13, 1998, and has provided oral testimony to the Commission on June 2, 1998 and June 24, 1998; and

WHEREAS, by the Petition and by the oral testimony of the Appellant, the Appellant sought the allocation of three (3) Pine Barrens Credits to the tax map parcel alleging that the parcel is "a contiguous parcel boarded by four streets," that the parcel contains 120,000 square feet of area, that "the minimum allocation of irrespective of parcel size is 0.10 credit . . . the subject parcel is composed of 48 lots should be allocated 4.8 credits," and "given that most of the Suffolk County Department of Health Sanitary Code is based on a 40,000 square foot criteria- the subject parcel should be equally correlated"; and

WHEREAS, the deed description of the parcel is "Lots One (1) to Forty-eight (48), all inclusive, in Block #141. . ."; and

WHEREAS, the Town of Brookhaven Assessment records indicated that the parcel contained 2.16 acres but the Appellant demonstrated that the parcel contained 120,000 square feet or 2.75 acres and this was confirmed by telephone discussions between the Commission's staff and the Brookhaven Assessor on June 23, 1998; 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 Letter of Interpretation appeal for the above referenced parcel is denied for the following reasons:

1. The Clearinghouse's allocation of Pine Barrens Credits to the parcel

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was correct;

2. On the basis of the information provided by the Appellant, no features of the parcels which warrant allocating three (3) PBCs have been identified; and be it further,

RESOLVED, that a new Letter of Interpretation be issued for the parcel in the amount of 0.44 PBCs because the Appellant demonstrated that the parcel contains 2.75 acres.

Record of Motion:

Made by:

Mr. Girandola

Seconded by:

Mr. Cowen

Yea Votes:

Unanimous