



**CENTRAL
PINE
BARRENS**

JOINT
PLANNING
&
POLICY
COMMISSION

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Ray E. Cowen
Member

Vincent G. Villella
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 Letters of Interpretation Appeal of Robert Toussie ("the Appellant") for Suffolk County Tax Map Parcels 200-412-3-20, 200-481-3-20, 200-499-1-12, 200-529-4-26, 200-531-2-16, 200-531-3-20, 200-531-4-18, and 200-531-4-22)

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 eight (8) Letters of Interpretation, all dated May 14, 1998, by the Pine Barrens Credit Clearinghouse allocating 1.10 Pine Barrens Credits, in total, to the above referenced tax map parcels; and

WHEREAS, the Appellant, by his attorney, Philip H. Sanderman, has appealed the allocation of 1.10 Pine Barrens Credits in a Petition dated May 28, 1998 and has provided oral testimony to the Commission on June 24, 1998; and

WHEREAS, by the Petition and by the oral testimony of the Appellant's attorney, the Appellant sought the allocation of one (1) Pine Barrens Credit to each of the above referenced tax map parcels alleging that the eight (8) parcels were "singly and separately owned" and but, for their location within the Core Preservation Area of the Central Pine Barrens within the Town of Brookhaven, "would be entitled to building permits without the necessity of obtaining variances or special relief of the Town of Brookhaven"; and

WHEREAS, accompanying the Petition were eight (8) single and separate searches on each parcel; and

WHEREAS, the Appellant purchased each of the eight (8) tax map parcels subsequent to July 14, 1993, the date of adoption of the Long Island Pine Barrens Protection Act of 1993; and

WHEREAS, each of the eight (8) tax map parcels are located in unimproved sections of old-filed maps without frontage on and without improved access to, any existing improved road; and

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

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RESOLVED, that the Letters of Interpretation appeals for the above referenced parcels are denied for the following reasons:

1. The Clearinghouse's allocation of Pine Barrens Credits to the eight parcels was correct;
2. On the basis of the information provided by the Appellant, no features of the parcels which warrant revising the allocation have been identified.

Record of Motion:

Made by:

Mr. Cowen

Seconded by:

Mr. Girandola

Yea Votes:

Unanimous