

**Pine Barrens Credit Appeal
of Martha and Philip Barkus,
Shirley and Max Hershkowitz, and Sharon Berman**

Contents:

- Original 3/12/97 Commission resolution, with typographical error
- 6/24/97 Commission resolution correcting the error

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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Session of March 12, 1997

Brookhaven Town Office Complex

Present: Mr. Cowen, Mr. Proios (for Commissioner Gaffney), Ms. Filmanski (for Commissioner Stark), Mr. Freleng (for Commissioner Cannuscio), Mr. Girandola (for Commissioner Grucci).

Resolution on the Letter of Interpretation Appeal of Martha Barkus, Shirley Hershkowitz, Sharon Berman, and Max Hershkowitz and Philip Barkus for Suffolk County Tax Map Parcels 200-411-1-5; 6; 9; 200-411-2-1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; 24; 25; 26; 28; 29; 30; 31; 32; 46; 47; 48; 49; 50; 51; 52; 53; 54; 55; 56; 57; 58; 60; 61; 62; 63; 64; 65; 66; and 67

Whereas, pursuant to the Pine Barrens Credit Program contained in the Central Pine Barrens Comprehensive Land Use Plan, the applicants applied for and were issued Letters of Interpretation allocating 12.67 Pine Barrens Credits on November 26, 1996 and January 8, 1997 for the above referenced 54 tax map parcels; and

Whereas, the applicants appealed the allocation and the Commission considered the merits of the appeal at its February 19, 1997 and March 12, 1997 meetings; and

Whereas, according to the tax bills for the above referenced parcels the collective acreage of the 54 tax map parcels is 19.34 acres; and

Whereas, the applicants submitted a map prepared by Smith and Jung, Professional Land Surveyors, dated March 8, 1997, indicating that the total area of the above tax map parcels is 24.06 acres, which area includes the areas of mapped but not improved roadbeds; and

Whereas, the Commission considered allocating one (1) Pine Barrens Credits to each of the 19.34 acres for a total of 19.34 Pine Barrens Credits or issuing eight-tenths of a Pine Barrens Credits (0.8) to each of the 24.06 acres, for a total of 19.25 Pine Barrens Credits recognizing that some of the total area would need to be dedicated for roadbeds and other infrastructure improvements; and

Whereas, the Commission determined to allocate one (1) Pine Barrens Credits to the 19.34 acres; now therefore be it,

Resolved, that the Letters of Interpretation appeals on the above referenced tax map parcels are granted to the extent that the total allocation is increased from 12.67 Pine Barrens Credits to 19.34 Pine Barrens Credits; and be it further,

Resolved, that this resolution replaces the Letters of Interpretation issued to the above referenced tax parcels.

Record of Motion:

Motion by Mr. Cowen
Seconded By Mr. Girandola

Yea Votes:

Unanimous

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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Session of June 24, 1997

Brookhaven Town Office Complex

Present: Mr. Cowen, Mr. Proios (for Commissioner Gaffney), Ms. Filmanski (for Commissioner Stark), Mr. Freleng (for Commissioner Cannuscio), Ms. Wiplush (for Commissioner Grucci).

Amended Resolution on the Letter of Interpretation Appeal of Martha Barkus, Shirley Hershkowitz, Sharon Berman, and Max Hershkowitz and Philip Barkus for Suffolk County Tax Map Parcels 200-411-1-5; 6; 9; 200-411-2-1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 28; 29; 30; 31; 32; 46; 47; 48; 49; 50; 51; 52; 53; 54; 55; 56; 57; 58; 60; 61; 62; 63; 64; 65; 66; and 67

Whereas, pursuant to the Pine Barrens Credit Program contained in the Central Pine Barrens Comprehensive Land Use Plan, the applicants applied for and were issued Letters of Interpretation allocating 12.67 Pine Barrens Credits on November 26, 1996 and January 8, 1997 for the above referenced 54 tax map parcels; and

Whereas, the applicants appealed the allocation and the Commission considered the merits of the appeal at its February 19, 1997 and March 12, 1997 meetings; and

Whereas, according to the tax bills for the above referenced parcels the collective acreage of the 54 tax map parcels is 19.34 acres; and

Whereas, the applicants submitted a map prepared by Smith and Jung, Professional Land Surveyors, dated March 8, 1997, indicating that the total area of the above tax map parcels is 24.06 acres, which area includes the areas of mapped but not improved roadbeds; and

Whereas, the Commission considered allocating one (1) Pine Barrens Credits to each of the 19.34 acres for a total of 19.34 Pine Barrens Credits or issuing eight-tenths of a Pine Barrens Credits (0.8) to each of the 24.06 acres, for a total of 19.25 Pine Barrens Credits recognizing that some of the total area would need to be dedicated for roadbeds and other infrastructure improvements; and

Whereas, the Commission determined to allocate one (1) Pine Barrens Credits to the 19.34 acres; and

Whereas, the Commission adopted a resolution on March 12, 1997 allocating 19.34 Pine Barrens Credits to the 54 parcels for the foregoing reasons; and

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Whereas, the March 12, 1997 resolution contained a clerical error indicating Suffolk County Tax Map Parcel 200-411-2-11 was subject of the appeal and did not indicate that Suffolk County Tax Map Parcel 200-411-2-23 was subject of the appeal, now therefore be it,

Resolved, that this amended resolution replaces the resolution adopted on March 12, 1997 only to the extent of removing Suffolk County Tax Map Parcel 200-411-2-11 from the appeal decision and adding Suffolk County Tax Map Parcel 200-411-2-23 to the appeal decision and that the total number of Pine Barrens Credits allocated remains 19.34.

Record of Motion:

Motion by Ms. Filmanski
Seconded By Mr. Cowen

Yea Votes:

Unanimous