



**Session of February 3, 1999
Commission Office
Great River, New York**

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

**Resolution on the Letter of Interpretation Appeal of Geraldine Bastable
("the Appellant") for Suffolk County Tax Map Parcel # 200-563-1-22**

WHEREAS, pursuant to the Pine Barrens Credit Program contained in the Central Pine Barrens Comprehensive Land Use Plan (the "Plan"), the Appellant, by her representative, Dominic Nicolazzi applied for and was issued a Letter of Interpretation, dated December 10, 1998, by the Pine Barrens Credit Clearinghouse allocating 0.10 Pine Barrens Credits, to the above referenced tax map parcel; and

WHEREAS, the Appellant, by her representative, Dominic Nicolazzi appealed the allocation of 0.10 Pine Barrens Credits by a letter dated December 22, 1998 and Mr. Nicolazzi provided oral testimony to the Commission at a Commission public hearing on February 3, 1999 on the appeal; and

WHEREAS, by the letter and by the oral testimony of the Appellant's representative, the Appellant sought the allocation of one (1) Pine Barrens Credit to the above referenced tax map parcel "based on, one, she's in the nature preserve and is one of the last of the parcels in the nature preserve. Her close proximity to County Road 51, both the rear of the property and the paper street, approximately 300 feet from County Road 51. She is also very close to the compatible growth and industrial site and this is the area contiguous to this County Road 111 and a 50 or 60 acre clearance" (Hearing Transcript at 8); and

WHEREAS, the 0.04 acre tax map parcel is located in an unimproved section of an old-filed map without frontage on and without improved access to, any existing improved road as demonstrated by Exhibits 1, 2 and 4, all introduced during the hearing; and

WHEREAS, the cleared and industrial areas Appellant's representative referred to in his presentation are in the Compatible Growth Area as noted by the Appellant's representative, "I felt that it's in close proximity to this enormous clearing at the industrial plant which is significant, but it is, again, on the other side of County Road 111" (Hearing Transcript at 13-14); and

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WHEREAS, the parcel is located approximately "380 feet" from the existing improved road along unimproved paper roads (Hearing Transcript at 12); and

WHEREAS, the Commission considered the merits of the appeal at the February 3, 1999 hearing, now therefore be it

RESOLVED, that the Letter of Interpretation appeal for the above referenced parcel is denied for the following reason: On the basis of the information provided by the Appellant's representative, no distinguishing characteristics of the parcel which warrant revising the allocation have been identified.

Record of Motion:

Made by:

Mr. Cowen

Seconded by:

Ms. Wiplush

Yea Votes:

Unanimous