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&
POLICY
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Session of March 8, 2000
Brookhaven Town Offices
Medford, New York

Resolution on the Letter of Interpretation Appeal of Robert Weinstein ("the Appellant") for Suffolk County Tax Map Parcel # 200-562-3-1

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 December 16, 1999, by the Pine Barrens Credit Clearinghouse allocating 4.56 Pine Barrens Credits, to the above referenced tax map parcel; and

WHEREAS, the Appellant appealed the allocation of 4.56 Pine Barrens Credits by a letter dated January 6, 2000 seeking 16 to 18 Pine Barrens Credits; and

WHEREAS, a public hearing was held by the Central Pine Barrens Joint Planning and Policy Commission on February 16, 2000. Appellant did not appear at the hearing, but he provided documents to the Commission via mail received February 22, 2000 concerning said appeal; and

WHEREAS a staff report for the Weinstein Pine Barrens Credit Appeal was adopted by the Commission on March 8, 2000; and

WHEREAS, the Commission considered the merits of the Appellant's appeal as contained in the hearing transcript, exhibits, and staff report; Now therefore be it

RESOLVED, that the appeal for the above referenced parcel is denied for the following reasons:

1. The Clearinghouse determined the Letter of Interpretation allocation for the above referenced parcel according to the Central Pine Barrens Comprehensive Land Use Plan (*Plan*) Volume 1, adopted June 28, 1995. §6.3.1.1.9 of the *Plan* dictates the development yield factors and computation for residentially zoned property. If zoning allows one (1) dwelling unit per two hundred thousand (200,000) square feet, the development yield factor is 0.16 Pine Barrens Credit per acre. Appellant's property is zoned one (1) dwelling unit per two hundred thousand (200,000) square feet. The Appellant did not provide any evidence of an approved development yield plan that would allow more dwelling units than would normally be permitted under current zoning in the Town of Brookhaven.
2. No evidence was presented by the Appellant to establish that the parcel is unique in any manner, so as to warrant an increase in the allocation.

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Record of Motion:

Made by:

Mr. Girandola

Seconded by:

Mr. Cowen

Yea Votes:

Mr. Cowen

Mr. Girandola

Mr. MacLellan

Mr. Murphree

Mr. Proios