

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 December 4, 1996

Riverhead Town Hall

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

Resolution on the Letters of Interpretation Appeal of Eugene Schreck for Suffolk County Tax Map Parcels 900-215.3-1-53 and 63

Whereas, the Central Pine Barrens Comprehensive Land Use Plan (the “Plan”) contains a transferrable development rights program, the Pine Barrens Credit Program; and

Whereas, the first step in applying for Pine Barrens Credits is to obtain from the Pine Barrens Credit Clearinghouse a Letter of Interpretation; and

Whereas, Eugene Schreck (the “applicant”) applied for and was issued two Letters of Interpretation for 0.21 Pine Barrens Credits each on November 5, 1996 for the above referenced tax map parcels; and

Whereas, the applicant filed an appeal of the Pine Barrens Credit allocation with the Commission pursuant to Section 6.7.3.3 of the Plan; and

Whereas, applicant submitted a letter stating the grounds of his appeal; and

Whereas, the Commission placed the matter on its meeting agenda for December 4, 1996 and so notified the applicant; and

Whereas, the applicant did not personally appear at the December 4, 1996 meeting; and

Whereas, the Commission considered the merits of the applicant’s arguments during its December 4, 1996 meeting; now therefore be it,

Resolved, that the Letter of Interpretation appeals on parcels 900-215.3-1-53 and 63 are denied for the following reasons:

1. Based upon the precedent established by the Pine Barrens Credit Clearinghouse in the Gazza Appeal Decision of September 30, 1996, upon the parcel’s locations, and upon the information provided by the applicant, no unique or additional features of the parcel that warrant revising the allocations have been identified.
2. Section 6.3 of the Plan mandates the allocation of PBCs to separately assessed tax lots and not to portions of a tax lot as argued by the applicant.

Record of Motion:

Motion by Mr. Cowen

Seconded By Ms. Filmanski

Yea Votes:

Mr. Cowen
Mr. Freleng
Ms. Filmanski
Mr. Proios

Nay Votes:

None

Absent from room:

Ms. Wiplush