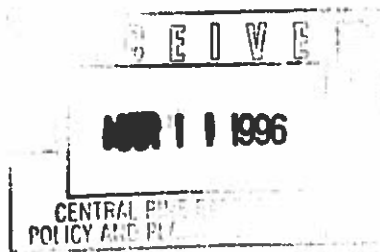


3/5/96



PARVIZ ZARABI

39 TANNERS RD.

LAKE SUCCESS, N.Y 11020

PINE BARRENS CREDIT CL.

Dear Sir

I have reviewed your letters of interpretations regarding all of the parcels of the properties that was submitted for Credits.

The amount of Credits given is totally unacceptable to us, since every piece of property is and has been single and separate for a long time, and we have invested a lots of money toward purchasing it 10 years ago. It will create a great deal of hardship for us we can't get one credit for every parcel.

Your reconsideration toward this problem is greatly appreciated

Sincerely

PARVIZ ZARABI

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
CHARLES K. STEIN, *VICE CHAIRMAN*
ROBERT J. DUFFY, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

February 6, 1996

Mr. Parviz Zarabi
39 Tanners Road
Lake Success, New York 11020

Re: SCTM # 200-511-4-27
SCTM # 200-511-5-19; 21; 23; 73; 76; 85
SCTM # 200-511-6-1; 2; 8; 29; 31; 38; 41; 43; 49
SCTM # 200-562-4-9

Dear Mr. Zarabi:

Please find enclosed the Letters of Interpretation for the above-referenced parcels pursuant to your applications.

If you desire to obtain Pine Barrens Credit Certificates, you must complete a Pine Barrens Credit Certificate Application for each parcel following the instructions in the Pine Barrens Credit Handbook.

The Clearinghouse did not allocate Pine Barrens Credits to Suffolk County tax map parcel # 200-511-6-47, because a copy of the parcel's deed has not been submitted to the Clearinghouse. Upon receipt of that document, the Clearinghouse will review the parcel's application.

Thank you for your participation in the Pine Barrens Credit Program.

Sincerely,



Raymond P. Corwin
*Executive Director, Central Pine Barrens
Joint Planning and Policy Commission*

Enclosures

P.O. Box 587, 3525 SUNRISE HIGHWAY, 2ND FLOOR, GREAT RIVER, NEW YORK 11739-0587
516-563-0385 / FAX 516-277-4097

JOHN M. LAVZO

"BRIEF"

13 April 1996

To: PINE BARRENS CREDIT CLEARINGHOUSE.

To The Attention Of: Mr. John C. Milazzo, Esq.

Ref: Appeals Case "Parviz Zarabi" 23 April 1996 @ 3:30pm.

Item: We agree with the preservation of the Pine Barrens,
We disagree with the equity of the settlement with property
owners.

We purchased seventeen single and separate residential building
lots. I will discuss this concept w/documentation at hearing.
We were aware certain improvements may have had to be made ie.
pave road

Present zoning dose not effect S&S lots. Lot size is not
proportionate to value in an open market.

By Governments actions you have eliminated any private market
and replaced it with a voucher system, Supreme Case Law will
be submitted at hearing.

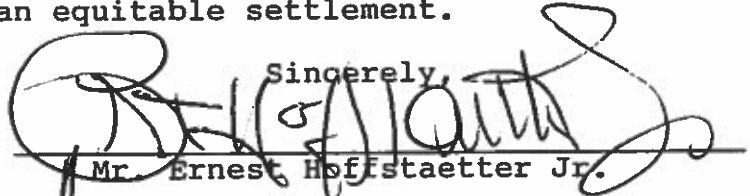
Use and value of voucher/credits is in a VERY GRAY area, I will
relate with documentation from and conversations with Town Of
Brookhaven officials and County of Suffolk Health Department
officials.

Approval of one Governmental agency dose not constitute approval
by another.

FACT THE VOUCHER/CREDIT SYSTEM IS GROSSLY FLAWED, in our case
We will discuss suggestions to improve situation at hearing.

We are absolutely open to an equitable settlement.

Sincerely,



Mr. Ernest Hoffstaetter Jr.

"Hoffstaetter Enterprises"

PARALEGAL

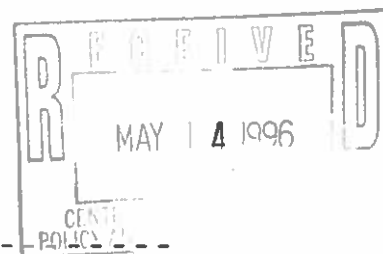
Agent for Owners

5 Riverside Ave. Mastic Beach ,N.Y. 11951

(1) (516) 399-0367

P.S. Please note the deed for S.C.T.M. # 0200-511-6-47, has
been sent to you and anticipate its inclusion at the above stated
hearing per our phone conversation. Thank You.

PINE BARRENS
CREDIT CLEARINGHOUSE



In the Matter of the
Public Hearing on the Appeals of
PARVIZ ZARABI

3525 Sunrise Highway
Great River, New York 11739

April 23, 1996
3:43 p.m.

PUBLIC HEARING

* * * *

A P P E A R A N C E S:

BOARD OF ADVISORS

JAMES TRIPP - Chairman

JACK HANLEY - Member

ROBERT DUFFY - Member

MITCHELL PALLY - Member

JOHN MILAZZO - Attorney

DORIS ROTH- General Counsel

RAY CORWIN

WILLIAM SPITZ- DEC

ALSO PRESENT:

LORRAINE TREZZA

DONNA PLUNKETT

MR. TRIPP: Notice of the public hearing. Notice is hereby given that a public hearing will be held by this Board on today's date.

The hearing is to consider the appeals of the persons aggrieved by the allocation of Pine Barrens Credits contained in their Letters of Interpretation. The Board is hearing such appeals pursuant to Section 6.7.3.4 of the Central Pine Barrens Land Use Plan.

At the hearing the Board will hear two appeals. The first appeal at what will now be the second appeal of Joseph Gazza, and the first appeal is a Parviz Zarabi, and others who are appealing the Pine Barrens credit allocation contained in 17 Letters of Interpretation issued on February 6.

The hearing under the notice is scheduled to take place today at this place starting at 3:30.

MR. MILAZZO: I would just amend that to include the parcel, it will be 18 parcels because I issued a Letter of Interpretation today on parcel number 200511-6-5121.

Applicant and his representative will give a brief overview and then we have a staff report which we will submit to the record. And then I suggest that a public hearing be held open for two weeks to give staff a chance to respond to their written materials which have not been reviewed by commission staff today. So we will close the hearing at the end, we will discuss that at the end.

MR. TRIPP: Do you want to come up here, Mr. Hoffstaetter. So you may proceed at least what I have from you so far is the one page.

MR. HOFFSTAETTER: That is

the brief, right.

MR. TRIPP: Dated April 23, 1996.

MR. HOFFSTAETTER: What I am going to do is I made packets for all of the Board members so they can peruse this at their leisure. And I gave one to the stenographer to save her a little typing.

First, I would request a copy of the minutes of this hearing, and have provided you with a copy of my presentation.

Briefly my qualifications. I am a paralegal permit expediter. I have twenty-three years experience in construction real estate, commercial and residential permits. And have dealt with almost all branches of government.

Let me state for clarity, we are not opposed to the preservation of the Pine Barrens, just in your method of compensation for the

taking of our property.

Fact. We own and have paid residential property taxes on eighteen single and separate building lots for ten years, to date approximately \$55,000.00.

MR. TRIPP: May I just interrupt you for a moment. When you say "we," who is the we?

MR. HOFFSTAETTER: The owners. I use the word "we". "I," is alienating.

MR. TRIPP: How many owners are there?

MR. HOFFSTAETTER: Four owners.

MR. TRIPP: Are they in affect joint owners of all eighteen parcels that we are talking about?

MR. HOFFSTAETTER: I believe so, yes.

Prior to that, other individuals whom we purchased all rights and title from paid

1 residential property taxes since 21
2 July 1892 when the map of Eastport
3 Land and Improvement Company, map
4 number 605 was filed. We purchased
5 these lots in 1986 at a cost of
6 approximately \$100,000.00. The lots
7 were purchased with the if you will
8 expectation of developing each and
9 every lot. Also, to purchase
10 additional lots and split our
11 larger lots which would enhance our
12 profit margin due to the road
13 improvement costs which we
14 anticipated.
15

16 Please keep in mind if an
17 application, that is another
18 owner's application, preceded ours
19 road improvement costs would be
20 greatly reduced. Each building lot
21 in today's market would have a very
22 conservative market value of at
23 least \$25,000.00 to \$35,000.00
24 improved.

25 I will now explain the single

and separate concept, AKA the
Grandfather Law.

Now, what I am going to do at
the end of my presentation, I have
individual folders for a mass to
file for the Chairman which have
all of the documentation from the
Town, all the printed records of
everything I am indicating and I
will, you know, make that part of
the record.

Town of Brookhaven Code Local
Law 85-372 C(2), which is attached.
Simply put, based on a formula of
up-zoning dates by location, school
districts and road frontage a date
is derived. In this case it would
be 26 May 1975. If the parcel was
single and separate no abutting
property in the same name except
for street to street, which is a
law Guazzo versus Chave Supreme
Court decision of 18 April 1969,
which allows back to back splits.

I have a copy of that law.

You have a building lot with setbacks set by this law, regardless of current zoning.

Fact. Dollar value is not proportional to an increase in lot area, building yield is the driving force. When a large parcel is purchased the principle is the same; yield, improvements, market value equals offer. A lot's value is in the fact one residence can be placed upon it.

By government's actions you have eliminated any private market for these parcels and have replaced it with a voucher credit system, essentially a closed market with strict, very gray area uses.

Example. When asked what we can use one credit for per the Town of Brookhaven Planning Department, and I spoke with Larry Constantino (phonetic), who is to speak with

John, and I tried to speak to John Girandola and Thomas Kramer (phonetic), the Commissioner, I spoke on the 4th of April, the 8th of April, the 11th and the 16th and the 17th, and I got absolutely no reply with what you can do with the credit.

On the 11th of April I spoke with Suffolk County Department of Health Services. I received a brochure from a Mr. Roy Reynolds which if you can make heads or tail of you are better people than I. I asked Mr. Reynolds what he felt you can do with a credit. He said we have never had any come in and we don't know.

If my assumptions are correct and I will confirm it with direct questions, I will ask these at the end, but any notes you wish to make on this, I want to go back to these two things; do they have a

1 strict -- one, do they have a
2 strict and limited use. And two,
3 credits may only be used in the
4 same school district. That is per
5 Dr. Coppleman (phonetic), who I
6 spoke to on several occasions.
7

8 Then I would say that in
9 conjunction with other research I
10 have done, only big developers will
11 have any possible use for these
12 credits and will positively exploit
13 and abuse the market by offering
14 token amounts per credit.

15 Also, I will note an approval
16 by one governmental agency does not
17 constitute an approval by another
18 through contradictions in each
19 agencies' rules and
20 interpretations, the old ping pong
21 runaround.

22 Fact. If what I have stated
23 is reasonably true, what is being
24 perpetrated upon this land owning
25 citizen constitutes almost a

1 taking, in that we have been denied
2 reasonable use of our property.
3 Reasonable being what the zoning is
4 for, a residence. Some parallels
5 can definitely be drawn between our
6 situation and United States Supreme
7 Court decision of 9 June 1987,
8 First English Evangelical Lutheran
9 Church of Glendale, the appellant
10 versus County of Los Angeles,
11 California, item 85-1199 which
12 states an inherently unfair and
13 caprices and arbitrary taking by a
14 municipality.
15

16 I made copies of that for
17 you, also.

18 Now, with all do respect I
19 will beg your indulgence in the
20 following. Being nice and
21 complacent with government does not
22 work.

23 You cannot blame citizens for
24 thinking there was no premeditation
25 and conspiracy on government's

1 part. First, the Town of Brookhaven
2 on it's own motion does a major
3 up-zoning.
4

5 Then, Suffolk County
6 government declares if you don't
7 pay your taxes on a vacant parcel
8 we will take it in one year instead
9 of three.

10 Then, a year or so later,
11 they add a \$100.00 penalty if you
12 don't pay your taxes on time
13 besides the interest they were
14 already charging.

15 Then, government declares
16 your property unbuildable by
17 citizens regardless of their
18 financial situation must keep on
19 paying taxes while government plots
20 their fate.

21 Then, a system of credit
22 vouchers is devised and instituted
23 with no value set. I tried to cover
24 all, trying to cover all possible
25 legal basis and then citizen owners

are thrown to the wolves and left to their own fate.

By your own words in an article which I have a copy of, no value has been set and no use has been determined.

But the hapless citizen watches and wonders how the County can direct sale and auction off each year at inflated prices, not for owed back taxes but profiteering and keep bringing the coverage amount from the ceased lands, even wetlands ceased outside the core area because some poor sole couldn't pay their taxes.

And to my complete shock, and I have the documentation right here which I will provide momentarily, to my complete shock even to try to sell at the auction for May 7, 1996 property, the property in the Pine Barrens Core Area which is parcel number 151, I have it all here.

1
2 Never once saying, "hay buddy, how
3 about a trade?"

4 Then, government keeps
5 collecting the quarter sales tax
6 that citizens assumed was to go for
7 purchasing core lands at reasonably
8 fair market value, and comes to
9 find out this money is
10 misappropriated and diverted into
11 the infamous black hole, AKA the
12 general financed fund, and used for
13 such things as committee studies,
14 salaries, expense accounts, renting
15 buildings, worthless poor
16 projects.

17 Our tax dollars hard a at
18 work.

19 I wonder why we feel like a
20 pawn in some heartless charade.

21 All that is asked is
22 government fairness. We would hope
23 you are all reasonable and honest
24 men and take all we have said into
25 consideration.

1
2 Hopefully this case is about
3 doing the right thing.

4 We deserve and are entitled
5 to closer to 18 credits, not the
6 2.33 credits offered. Only under
7 the following criteria; use of
8 credits outside the core area, and
9 this is for clarification, credits
10 should not be used in the core area
11 and excluded environmental
12 sensitive areas.

13 One credit, and this is
14 perhaps simply put but I would
15 think it would work, one credit
16 equals one house increase in lot
17 yield, anywhere.

18 Credit based on long
19 established criteria, either single
20 separate, or 20,000 square foot or
21 40,000 square foot depending on
22 location conforming lot yield.

23 One credit includes Town and
24 Health approval, no slick
25 gimmicks.

1
2 Or, government purchases our
3 property at fair market value which
4 is the price we would have realized
5 prior to their actions.

6 In either case, the
7 collection of property taxes stops
8 immediately.

9 A duck is a duck is a duck no
10 matter how you try to portray,
11 disguise or deceive. This is a
12 taking.

13 This is not a threat by us,
14 just a clear observation. By each
15 of you seated here today making the
16 right decision and doing what is
17 right you will overtake an inevitable
18 retroactive, class action lawsuit.

19 As in the case with Shoreham,
20 this will cost every tax payer in
21 Suffolk County to defend and
22 ultimately with interest payback
23 what you deny here today.

24 Sincerely, Ernest
25 Hoffstaetter, Jr.

Now I will briefly go through my documentation. I made only one packet of the documentation. First, are copies of the Town laws which I stated with the items indicated highlighted. This is how single and separate is derived with a zoning sheet.

And again, after I present all of this, if anybody has any questions I will be happy to re-explain any particular item.

Here is a copy of --

MS. ROTH: Excuse me, Mr. Hoffstaetter, do you want these to be marked as part of the record?

MR. HOFFSTAETTER: Yes. I don't have a separate copy, I said that in the beginning of the presentation, that it be made part of -- I only have one of these packets.

MR. TRIPP: This is something we could keep. We could just mark

the whole thing as one exhibit once he identifies them.

MR. HOFFSTAETTER: Here is a copy of Guazzo versus Chave Supreme Court and First English Evangelical Lutheran Church versus County of Los Angeles.

Here is again, now I have got some examples in here of why citizens have a feeling of concern for what is going on. Perhaps unrelated but a governmental action is something I happen to be involved in. The Havens (phonetic) Estate in East Moriches of 206 acre area which was purchased in the late 80's for approximately \$13,000,000.00 with open space acquisition funds and is now being considered for a golf course.

If anybody were familiar with that land I have two articles indicating that, if anybody were familiar with that property I think

that they will be --

MR. GRECCO: What relevance does this have?

MR. HOFFSTAETTER: The relevance it has is there is an inherent mistrust of what this government is doing. And these are examples that I am presenting, with all do respect, and I made that clear in the beginning, I am here to do a job but I have to make it clear why people feel the way they feel. When an article if you want that as an example, when an individual reads an article like that, they have concerns. If a person were familiar with it.

MR. GRECCO: But as to the facts we are talking about some open space in East Moriches which has nothing to do with the Pine Barrens, this has nothing to do with the application.

MR. HOFFSTAETTER: Yes, it

does.

MR. GRECCO: Where?

MR. HOFFSTAETTER: It proves distrust of governmental actions.

MR. PALLY: How can you prove distrust?

MR. TRIPP: I want him to finish the description and he is proposing that we mark everything that he brought here today and --

MR. HOFFSTAETTER: And then you will have all the time you want to look at it and question whatever.

MR. TRIPP: And we can ask questions.

MR. HOFFSTAETTER: Here is another reason, this is more relevant to the pine Barrens. I have a letter here dated the 4th of August 1992 to then Supervisor John Lamura, it was sent certified mail, return receipt. I have the original with the receipt. This answer was

1
2 never answered and I have attached
3 some copies of articles that you
4 can look at, also.

5 This is in the beginning of
6 the conception of the Pine Barrens.
7 Just briefly read what is relevant
8 about this and how the Pine Barrens
9 Core Area lines were setup that
10 concerns a lot of people. How the
11 lines deviate around certain
12 properties and without regard
13 included other properties. Subject
14 north shore properties, hearing of
15 4 August 1992, with reference to
16 the above project I have two
17 questions.

18 MR. TRIPP: If you are going
19 to submit it I don't think you have
20 to read it.

21 MR. HOFFSTAETTER: I will be
22 very, very brief with it. Others I
23 am not going to read at all.

24 The main concern is how do
25 you get 5,086 single family

1 residents and 9.92 million square
2 feet of commercial onto 40,000
3 acres? No response was ever made
4 to that letter. In setting values
5 which is kind of a key issue a
6 short while back the County had
7 come up with some mitigation,
8 swapping properties, transfer of
9 properties. I directed this letter
10 to Mr. Herbert Davis, our
11 legislator at the time. The letter
12 is dated 13th of September, 1994.
13 It is regarding a proposal by the
14 county to swap properties. It was
15 never answered to this date.

17 Also, I will submit one
18 property that I was involved
19 with -- I have attached the tax
20 map, it's a land lock -- well, it's
21 not land locked, it's on a paper
22 street. It's 21 feet wide by 100
23 feet deep that laid smack in the
24 middle of my clients' property. It
25 was owned by the County of Suffolk,

it had no value to the County of Suffolk, it's not in the Pine Barrens.

We asked the County what is this lot worth? They sent us back this letter. We did purchase it because we had to purchase it, the minimum acceptable bid is \$1,000.00 for a 21 by 100 foot lot on a paper street in the middle surrounded by our property. There is the official letter from the County of Suffolk.

MR. GRECCO: Can I go back to one of your exhibits?

MR. HOFFSTAETTER: Sure.

MR. TRIPP: Let him finish his presentation and then we will open it up.

MR. HOFFSTAETTER: This fell out of the first folder which had the single and separate in it.

Then we have the articles that I refer to which were ongoing

1
2 grass routes support the petitions
3 about the taking of the quarter
4 percent or the misappropriation in
5 the quarter percent sales tax and
6 we have an article dated April
7 20th, which is indicating that they
8 are now going to be, although it is
9 not yet settled on an appropriate
10 price for these credits. And it
11 seems the County is relying on
12 \$5,000,000.00 from the Northville
13 gasoline spill which puzzles me.

14 Then I have the real
15 shocker. I was down at the Town of
16 Brookhaven researching and trying
17 to speak to the officials there to
18 see what their presumed use of the
19 credits was and there was a poor
20 old lady sitting there and she
21 didn't speak English very well and
22 she was down there trying to find
23 out whether she should buy this
24 property.

25 And as often as I do when I

am down in the Town I see somebody kind of in need and I said maybe I can help you. She had this letter that the County had just sent her, tax map 0200 Section 420, Block 1, lots 23.1, upset price, that is the opening bid, \$20,000.00. Here is the book for the auction on May 7 with that item highlighted.

I had the staff look up and on a tax map locate this property, completely land locked piece of property behind her property. And when I had staff further research it they said it's in the Pine Barrens Core Area. I said, well, geese, that is strange.

Now, there is a whole load of other things in here including wetlands parcels which the County is hawking at this auction. I only researched one of these, I really didn't have the time to look at every one of these and see if they

are in the Pine Barrens. But, I think if we look at the 0200's and if we saw if there are any 511's, I don't see a 511 but I see a close one, 514 or something like that. Somebody might look into what the County is selling.

And then, this is, I am not even opening it up, it will be for your perusal, but this is really, really what amazes me with officials as to how a person in elected office can do such moronic things in my humble opinion. And when people hold these things it gives my credibility to an organization such as yours.

MR. TRIPP: I will identify it. The last is a series of newspaper articles at least one of which is dated April 21, 1996, one is dated May 11, 1995, one is dated February 17, 1996, and the other one is dated April 14, 1996. Can we

mark everything either as one exhibit?

MR. MILAZZO: I will like to preserve the record by doing each one individually, I think that might be better.

MR. TRIPP: Let's do it now but let's do it expeditiously.

MR. MILAZZO: The first exhibit will be the staff report that was issued.

MR. MILAZZO: The second one, Number 2, will be a letter dated -- "Dear Interested Party," without a date from Barbara Friedman (phonetic), of the Auction Sales And Affordable Housing Unit.

Number 3 will be a brochure issued by the Suffolk County Department of Law, Division of Real Estate, for an auction to be held on Tuesday, May 7, 1996.

Exhibit Number 4 will be, appears to be a case called Guazzo

V. Chave, site 301, New York
Second.

MR. TRIPP: All I think you
have to do is write the number on
it.

MR. MILAZZO: You have to
state what it is. I am sorry.

Number 5 is the English
Supreme Court decision.

Number 6 is going to be an
article, "Pine Barrens Credit Set
To Go," without a date, News April
20, 1996.

Number 7 will be an article
"Growing Grass Routes to Save the
Trees," News, April 14, '96.

Number 8 is going to be a
Newsday, November 21, 1995, "Budget
Approved."

Number 9 is a letter from
April 15, 1994.

Number 10 is a letter from
Ernest Hoffstaetter dated September
13, 1994.

Number 11 is the Suffolk
County Department of Health
Transfer of Development Rights
Promulgated issued September 30,
1995.

Number 12 is a Town of
Brookhaven single and separate date
list.

Number 13 is the Town of
Brookhaven form concerning single
and separate 85-372 C(2).

Number 14 is a list of
standards for zoning class Town of
Brookhaven again.

Number 15 is a letter,
unsigned.

MR. HOFFSTAETTER: It was
signed, I didn't want to put that
in.

MR. MILAZZO: To John Lamura,
Town of Brookhaven Supervisor at
the time, August 6, 1994.

Number 16 is an article of
News, dated February 20, 1993.

Number 17 is hearing held on Breslin North Shore Plan, July 29, 1992, is "2,100 Acres of Controversy," Newsday article of August 3, 1992. The second is an article dated March 14, 1995, that is Number 17.

Number 18 is a Newsday article from 3 June '94. "Four for Four, County to pick three sites."

The last is Number 19 is an article from Sunday April 14, 1996, Newsday, "Fire Works on Grucci Gaffney Hires."

Number 20 is an article from February 17, 1996, Newsday.

Number 21 is an article dated May 11, 1995, "Moonlighter Who Quit," is Number 21.

Number 22 is "a Home In A Piece Of The Past." I don't know where it came from but it was dated 21 April '96 and we can refer to this after.

The only thing I want to add to the record is a staff report issued by the Suffolk Pine Barrens Commission Staff and I will give the applicant a copy and this is Number 23. It's an Application Analysis on Clearinghouses' letterhead issued April 19, 1996.

Just for the record and this will be my last comment, it includes a map of the 511 section, a brief prepared by Ernest Hoffstaetter, and a copy of a letter issued by Barbara Wiplush, Town attorney, to Jim Tripp February 27, 1996.

And the only thing I want on page three of the Application Analysis, the last sentence "it appears that the applicant has *been* crossed out."

I have the record preserved and now you can have questions.

MR. TRIPP: Questions, and I

will ask everyone, as far as possible ask questions regarding factual.

MR. GRECCO: Mr. Hoffstaetter, it's your position that because these parcels are single and separate one house equals one credit; is that correct?

MR. HOFFSTAETTER: Yes.

MR. GRECCO: Do you have surveys of these properties?

MR. HOFFSTAETTER: No. Because, it would be pointless to spend money on surveys and chains of titles which is indicated by Chris Hubbs (phonetic), of the Town attorneys' office on something.

MR. GRECCO: I am just asking a question. Do you have a survey? Are you comfortable with this chain of title insofar as this property is considered single and separate back to the cut off date?

MR. MILAZZO: No, all I have is a deed from March of 1986.

MR. GRECCO: So, you haven't even prepared a single and separate search?

MR. HOFFSTAETTER: The cost of preparing a single and separate search on one lot, and I will make a deal with you, if I prepare a complete single and separate and run it through the Town which is the cost of \$350.00 for a single and separate search and \$40.00 for a review fee and I would say in that area, a survey may run you, because they would have to get back into the woods and do clearing and whatever, you might be talking \$500.00 for a survey. If the lot turns out to be single and separate we get one credit for it.

MR. GRECCO: Am I to understand you correctly, your basis for these number of requested

credits is based upon single and separate?

MR. TRIPP: Just so you understand, anything that we do here today would be contingent, if we decided to do anything at all on the applicant going to the Town and getting from the Town proof that he qualifies.

MR. GRECCO: I am not suggesting that.

MR. HOFFSTAETTER: It would be a huge expense.

MR. GRECCO: I am just saying you are coming in here and telling me it is single and separate but it's your burden to prove it; right?

MR. HOFFSTAETTER: Yes.

MR. GRECCO: How do you propose you prove this to us?

MR. HOFFSTAETTER: How you would prove it is that in general, you can look at an area of a map

1
2 and you can get a pretty good idea,
3 if one owner, if they purchased all
4 from the same owner and the owner
5 had owned the property for a long
6 time, and again, any date was, we
7 only had to be single and separate,
8 let me make that clear to 26
9 May '75.

10 So in other words, when I
11 prepare a chain of title, I don't
12 have to be single and separate back
13 to 1892, only to 1975. I would look
14 at the reasonable possibilities
15 that it is single and separate due
16 to the fact of expense simply check
17 the names of the surrounding
18 owners.

19 Now, I am not speaking about
20 back to backs, I am speaking about
21 if I know that they don't own on
22 this side and they don't own on
23 that side and they bought the
24 property in 1980, they have owned
25 nothing else along side of it so

you only really have a five year span that anyone else buy next to them or to the people they purchase it from own anymore it's unlikely. The odds are pretty much in the favor that they are single and separate.

MR. GRECCO: Are we in agreement that 1975 is the cut off date?

MR. HOFFSTAETTER: I can prove that with the first three documents.

MR. GRECCO: That date that you showed us there that May is the cut off date for the up-zones of the Town where if you are single and separate as of that date you preserved your right; is that correct?

MR. HOFFSTAETTER: Correct.

MR. GRECCO: What have you demonstrated to us to show us that you were single and separate as of

that date on these parcels; what have you presented to us to show us that you are single and separate as of that date?

MR. HOFFSTAETTER: Nothing. We are not going to spend, you know, except that you can see the layout of the lots, you see that they are individual lots.

MR. GRECCO: Layouts is nothing to do with title.

MR. HOFFSTAETTER: You are under the assumption that we own adjacent lots.

MR. GRECCO: I am asking, your basis is preexisting; right?

MR. HOFFSTAETTER: Correct, that's correct.

MR. GRECCO: And you agree it would be your burden to prove this preexisting right?

MR. HOFFSTAETTER: Sure. I am not going to, however, proof it on a fancy, you know, or for .10 of a

credit. I mean, that would be un --
you know, unrealistic to expect
someone to spend \$1,000.00 a lot on
five year period presuming that
nobody else owned contiguous
property for five years. I would
say the odds are pretty good that
they are.

And again, to prove that yes,
you would have to go through a
guaranteed survey, a single and
separate chain of title, filing
fees, and such as that. But again,
in a situation like this I think
that is unrealistic to do at this
point and it would be unwarranted.

MR. TRIPP: Any other
questions?

MR. GRECCO: Would you be
willing to give us just single and
separate searches on this parcel?

MR. HOFFSTAETTER: That is
\$350.00 a piece back to '75. If
you are willing to give us a credit

a piece that each one --

MR. GRECCO: I am not suggesting that. However --

MR. HOFFSTAETTER: 128 times \$350.00 is a lot of money.

MR. GRECCO: Others have done this.

MR. HOFFSTAETTER: Maybe on one lot but not on 18.

MR. GRECCO: I am just disagreeing with you, you are wrong.

MR. HOFFSTAETTER: I understand. And you do understand the concept of the back to back splits?

MR. GRECCO: Absolutely.

I also want to state for the record, you made a statement that the County is auctioning a piece of property in the core. That is not correct. That parcel which you mentioned is in Centereach and not in the core.

MR. HOFFSTAETTER: And the Town told me it is in the Pine Barrens Core.

MS. PLUNKETT: It's not in the Pine Barrens.

MR. TRIPP: We are not going to dispute what someone may have told you.

MR. HOFFSTAETTER: That is an official of the Town. When you look at that map it is very, very difficult to figure out. But believe me, a person, you know, who is, I am going to go back and question Bill as to give me bad information and making a fool of myself if it is in the Pine Barrens but I will double check and I will get back to you whether it is or I will have him get back to you and state why it is or why it isn't. He told me he looked at it, he looked at it twice, it is in the Core Area.

MR. GRECCO: Do you have any other evidence or anything else you would like to put forward regarding this application?

MR. HOFFSTAETTER: No.

MR. GRECCO: I have no further questions.

MR. TRIPP: I have just a few questions.

What is the distance, if you know, the approximate distance from the closest existing improved road to your parcels?

MR. HOFFSTAETTER: I think it varies, I did map that all out. It varies between 300 feet and I think maybe 1,000 feet.

MR. TRIPP: We have an estimate of 536 feet to close to 4,000; would that strike you as being correct?

MR. HOFFSTAETTER: Again, without doing a layout exactly, I did an estimation, so you are

1 saying 5,000 total feet of road.

2 MR. TRIPP: You have a number
3 of different parcels scattered.

4 MR. HOFFSTAETTER: You have
5 different ways of getting it, you
6 wouldn't necessarily put one road
7 in, you have to plan that.

8 As I have indicated that is a
9 problem of the applicant, not a
10 problem of the property. If he is
11 willing to put in a road but when a
12 person does that, remember, there
13 are certain people who also plot
14 and what they do is they will go in
15 and they will buy up all the lots
16 along that path in. People who, you
17 know, really have owned the
18 property for a long time don't want
19 to be bothered putting a road in,
20 you can generally pickup enough
21 lots along the way and make it
22 worth your while. That was the
23 intention.

24 So it's not -- I don't think
25

1
2 it's a good basis for you saying
3 well, you have to put a road in
4 just to lot X which is way, way
5 down here. That is going to be a
6 total cost of improvement for that
7 one lot because that really isn't
8 how it works. No developer does
9 that.

10 MR. TRIPP: So, if you were
11 going to develop you would buy --

12 MR. HOFFSTAETTER:
13 Absolutely. And I would also
14 indicate that on top of -- what you
15 would do is look up all the owners
16 of record along the way, you would
17 send letters of solicitation; are
18 you interested in selling? If they
19 are interested, the market price
20 would be relatively low but once
21 it's in profit and you put in the
22 improvements it makes it worth
23 while.

24 Also, some of the lots are
25 larger of the 18 lots, and they

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

17
18
19

20
21
22
23
24
25

MR. MORAN: I think what would happen in a case like this, if it were more than five parcels in the same ownership, it would not be exempt from Article 6, and therefore, it would have to be an application looked at under the criteria of Article 6 where you have 40,000 foot lots.

If additional lots were purchased, in order to do like road development those would also be included in evaluation. You would have to look at a yield map based upon the number of lots that have been purchased, the size of those lots. But you would certainly have to look at them and treat them as a common scheme or development, so therefore, we will have to look and see what yields you would get out of them.

MR. HOFFSTAETTER: Please let me comment on that.

1
2 If a lot is single and
3 separate, it is exempt from that
4 situation. And if you purchased
5 additional lots, and again, with
6 all do respect, if you purchase
7 additional lots you are not going
8 to purchase them in the same name,
9 you are going to purchase them in a
10 different corporate name or
11 whatever you are going to do. And
12 what you would do if you were real
13 smart and real slick is you would
14 find the furthest down lot and you
15 would make an application only on
16 that lot. And get a road into it
17 and then when the road passes the
18 other ones are automatically -- I
19 mean, with all do respect, that's
20 what you do. That's what builders
21 do. I mean it's totally
22 unconscionable expenses that
23 builders are put through to build
24 one house.

25 Certain times, again, the

bottom line is still the same. One house would be there and that's it, it just circumvents some of the aggravation and expense that you might have to go through.

MR. TRIPP: Any other questions?

MR. MILAZZO: I just have a couple.

MS. ROTH: Mr. Moran, could you just identify yourself for the record.

MR. MORAN: Dennis Moran, *sub* Civic County Department of Health Services.

MR. MILAZZO: I just want to comment on a few things. First and foremost on the application analysis, the fourth parcel says an allocation of 4.14. It is actually .14. I just want to change that for the record.

The other thing, the eyes of the credit that has been identified

in the plan. The allocation that they are limited to intra district transfers in the Town of Brookhaven is not correct. Town of Brookhaven allows you to move across school district boundaries.

The request I have is if you could supply a copy of a tax bill for the last year for each parcel, if that's possible.

MR. HOFFSTAETTER: The ones I have.

MR. MILAZZO: Whatever is the most recent tax bill.

Also, if you could give me some sort of statement, the amount of money you paid for all the lots. The deed says it was about \$33,000.00. If I could get that, as well.

MR. HOFFSTAETTER: Which deed? You have copies of all the deeds. There are stamps on the deeds, the stamps are calculated.

If you will ask the County what that adds up to.

That is a verification, I could just give you a word but that is the verified fact.

MS. ROTH: You might want a statement as to whether there is any other consideration.

MR. HOFFSTAETTER: No, no, they are all vacant properties, there is no consideration.

MR. MILAZZO: I would recommend we keep the hearing open for two weeks, until the close of business on May 6, 1996. And if anyone has any supporting materials they want to add to the record.

MR. TRIPP: Is there anything else? You have a copy of the report.

So, if there is anything else you want to submit will you do it before May 6.

MR. HOFFSTAETTER: Just in

ordinances recently as to the as of right receiving areas.

MR. HOFFSTAETTER: The second question, again, maybe I have been misinformed, but I spoke with Dr. Coppleman (phonetic), on several occasions and he had clearly told me, now this was a little while ago, things maybe changed but Dr. Coppleman (phonetic) clearly told me and stated that credits could not cross school boundary lines.

MR. TRIPP: I don't dispute he may have told you that, that is no longer the case within the Town of Brookhaven in the as of right receiving areas.

MR. HOFFSTAETTER: So, if it is in Brookhaven Town I could use it anywhere.

MR. TRIPP: In the designated as of right receiving areas.

MR. PALLY: Which are

outlined in the plan.

MR. HOFFSTAETTER: So I am getting a copy. So there are strict uses of these, you can't just use them anywhere. That is the only point I am trying to make is I can't arbitrarily take this one piece of paper and walk down to the Health Department.

MR. TRIPP: There is a Plan, so the efficient thing to do is read the Plan. If you have questions about what it means, there are lots of people to answer the questions.

MR. HOFFSTAETTER: Again, I tried the Town and no one was able to answer.

MR. TRIPP: Anyone else here have any comments on this application?

So, the record will remain open until May 6. Thank you very much.

MR. HOFFSTAETTER: Thank you.

(Whereupon, all documents
were marked as Exhibits 1-23,
consecutively, for identification,
as of this date.)

(Time noted: 4:45 p.m.)

I N D E X

E X H I B I T S

EXHIBIT	DESCRIPTION	DEEMED	MARKED
1	Staff report		28, 54
2	Letter from Barbara Friedman		28, 54
3	Brochure		28, 54
4	Case, Guazzo v. Chave		28, 54
5	English Supreme Court decision		29, 54
6	Article, 4/20/96		29, 54
7	Article, 4/14/96		29, 54
8	Article, 11/21/95		29, 54
9	Letter, 4/15/94		29, 54
10	Letter, 9/13/94		29, 54
11	Letter, 9/30/95		30, 54
12	Town of Brookhaven, S&S date list		30, 54
13	Town of Brookhaven, S&S 85-372 C(2)		30, 54
14	Town of Brookhaven, Zoning Standards		30, 54
15	Unsigned Letter		30, 54
16	Article, 2/20/93		30, 54
17	Article, 7/21/92		31, 54
18	Article, 6/3/94		31, 54
19	Article, 4/14/96		31, 54
20	Article, 2/17/96		31, 54

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S

EXHIBIT	DESCRIPTION	DEEMED	MARKED
21	Article, 5/11/95	31,	54
22	Article, 4/21/96	31,	54
23	Application Analysis, 4/19/96	32,	54

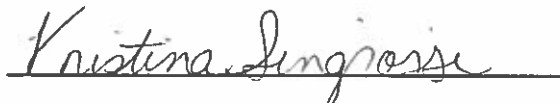
* * * *

CERTIFICATION

I, KRISTINA SINGROSSI, a Notary Public in
and for the State of New York, do hereby certify
that:

THAT the within transcript is a true record
of the testimony.

IN WITNESS WHEREOF, I have hereunto set my
hand this 7th day of May, 1996.



KRISTINA SINGROSSI

-\$-		17 [6] 3:21 27:24 31:2 31:8 31:17 55:22	31:10 55:8 30 [7] 30:5 55:16 55:17 55:18 55:19 55:20 55:21	7/21/92 [1] 55:22 7th [1] 57:11	allocation [4] 3:8 3:20 48:21 49:2 allows [2] 8:25 49:6
\$1,000.00 [2] 24:9 39:4		17th [1] 10:7	300 [1] 42:17	-8-	almost [2] 5:20 11:25
\$100,000.00 [1] 7:7	18 [8] 4:4 8:24 16:5 31:9 40:10 44:25 45:23 55:23	18 [8] 4:4 8:24 16:5 31:9 40:10 44:25 45:23 55:23	301 [1] 29:2	8 [2] 29:18 55:13	along [4] 36:25 43:17 43:22 44:16
\$100.00 [1] 13:11	1892 [2] 7:3 36:13	1892 [2] 7:3 36:13	31 [5] 55:22 55:23 55:24 56:5 56:6	80's [1] 19:18	amazes [1] 27:12
\$13,000,000.00 [1] 19:19	19 [3] 31:12 32:9 55:24	19 [3] 31:12 32:9 55:24	32 [1] 56:7	85-1199 [1] 12:12	amend [1] 4:3
\$20,000.00 [1] 26:8	1969 [1] 8:24	1969 [1] 8:24	3525 [1] 1:10	85-372 [3] 8:14 30:12 55:18	amended [1] 51:25
\$25,000.00 [1] 7:23	1975 [3] 8:19 36:13 37:10	1975 [3] 8:19 36:13 37:10	3:30 [1] 3:25	8th [1] 10:5	amount [2] 14:14 49:17
\$33,000.00 [1] 49:20	1980 [1] 36:24	1980 [1] 36:24	3:43 [1] 1:12	-9-	amounts [1] 11:14
\$35,000.00 [1] 7:23	1986 [2] 7:6 34:3	1986 [2] 7:6 34:3	-4-	9 [3] 12:8 29:21 55:14	analysis [4] 32:8 32:20 48:20 56:7
\$350.00 [3] 34:13 39:24 40:6	1987 [1] 12:8	1987 [1] 12:8	4 [3] 22:15 28:24 55:9	9.92 [1] 23:2	Angeles [2] 12:11 19:8
\$40.00 [1] 34:14	1992 [4] 21:22 22:15 31:4 31:6	1992 [4] 21:22 22:15 31:4 31:6	4,000 [1] 42:21	9/13/94 [1] 55:15	answer [3] 21:25 53:15 53:19
\$5,000,000.00 [1] 25:12	1993 [1] 30:25	1993 [1] 30:25	4.14 [1] 48:21	9/30/95 [1] 55:16	answered [2] 22:2 23:16
\$500.00 [1] 34:20	1994 [4] 23:13 29:22 29:25 30:23	1994 [4] 23:13 29:22 29:25 30:23	4/14/96 [2] 55:12 55:24	-A-	anticipated [1] 7:15
\$55,000.00 [1] 6:7	1995 [5] 27:23 29:19 30:6 31:7 31:19	1995 [5] 27:23 29:19 30:6 31:7 31:19	4/15/94 [1] 55:14	able [2] 51:9 53:18	appeal [3] 3:15 3:17 3:18
-*-	1996 [14] 1:11 5:4 14:22 27:22 27:24 27:25 28:23 29:14 31:13 31:17 32:9 32:17 50:16 57:11	1996 [14] 1:11 5:4 14:22 27:22 27:24 27:25 28:23 29:14 31:13 31:17 32:9 32:17 50:16 57:11	4/19/96 [1] 56:7	above [1] 22:16	appealing [1] 3:19
-.-	-2-	-2-	4/20/96 [1] 55:11	absolutely [3] 10:7 40:18 44:13	appeals [5] 1:7 3:7 3:11 3:15 45:8
.10 [1] 38:25	2 [6] 8:14 28:14 30:12 51:4 55:7	2 [6] 8:14 28:14 30:12 51:4 55:7	4/21/96 [1] 56:6	abuse [1] 11:13	appellant [1] 12:10
.14 [1] 48:22	2,100 [1] 31:4	2,100 [1] 31:4	40,000 [3] 16:21 23:3 46:10	abutting [1] 8:20	applicant [6] 4:8 32:6 32:21 35:8 43:10 45:20
-0-	2.33 [1] 16:6	2.33 [1] 16:6	420 [1] 26:6	acceptable [1] 24:9	application [12] 7:17 7:18 20:24 32:7 32:19 42:5 45:10 46:8 47:15 48:19 53:22 56:7
0200 [1] 26:6	2/20/93 [1] 55:21	2/20/93 [1] 55:21	4:45 [1] 54:7	accounts [1] 15:14	appropriate [1] 25:9
0200's [1] 27:3	20 [3] 29:14 30:25 31:16	20 [3] 29:14 30:25 31:16	4th [2] 10:5 21:21	acquisitions [1] 19:20	approval [3] 11:15 11:17 16:24
-1-	20,000 [1] 16:20	20,000 [1] 16:20	-5-	acre [1] 19:16	Approved [1] 29:20
1 [3] 26:6 51:4 55:6	200511-6-5121 [1] 4:7	200511-6-5121 [1] 4:7	5 [2] 29:9 55:10	acres [2] 23:4 31:4	approximate [1] 42:12
1,000 [1] 42:18	206 [1] 19:16	206 [1] 19:16	5,000 [1] 43:2	action [2] 17:18 19:13	April [15] 1:11 5:3 8:24 10:5 10:6 10:10 25:6 27:22 27:25 29:13 29:17 29:22 31:13 31:24 32:9
1-23 [1] 54:4	20th [1] 25:7	20th [1] 25:7	5,086 [1] 22:25	actions [3] 9:15 17:5 21:5	arbitrarily [1] 53:8
10 [2] 29:23 55:15	21 [9] 7:2 23:22 24:10 27:22 29:19 31:18 31:20 31:24 56:5	21 [9] 7:2 23:22 24:10 27:22 29:19 31:18 31:20 31:24 56:5	5/11/95 [1] 56:5	add [3] 13:11 32:2 50:18	arbitrary [1] 12:14
100 [2] 23:22 24:10	22 [2] 31:21 56:6	22 [2] 31:21 56:6	511 [2] 27:5 32:12	adds [1] 50:3	area [14] 9:8 9:20 14:16 14:24 16:8 16:10 19:17 22:9 26:17 34:16 35:25 41:25 45:5 45:12
11 [4] 27:23 30:2 31:19 55:16	23 [4] 1:11 5:3 32:7 56:7	23 [4] 1:11 5:3 32:7 56:7	511's [1] 27:4	adjacent [1] 38:15	areas [4] 16:12 52:3 52:19 52:24
11/21/95 [1] 55:13	23.1 [1] 26:7	23.1 [1] 26:7	514 [1] 27:6	ADVISORS [1] 2:4	article [24] 14:5 20:14 20:16 25:6 29:12 29:15 30:24 31:5 31:7 31:10 31:13 31:16 31:18
11739 [1] 1:10	26 [2] 8:19 36:8	26 [2] 8:19 36:8	536 [1] 42:20	affect [1] 6:19	
11th [2] 10:6 10:10	27 [1] 32:17	27 [1] 32:17	54 [22] 55:6 55:7 55:8 55:9 55:10 55:11 55:12 55:13 55:14 55:15 55:16 55:17 55:18 55:19 55:20 55:21 55:22 55:23 55:24 56:5 56:6 56:7	Affordable [1] 28:18	
12 [2] 30:7 55:17	28 [4] 55:6 55:7 55:8 55:9	28 [4] 55:6 55:7 55:8 55:9	-6-	again [12] 18:10 19:9 30:15 36:6 39:10 39:14 42:23 45:4 47:5 47:25 52:5 53:17	
128 [1] 40:5	29 [7] 31:3 55:10 55:11 55:12 55:13 55:14 55:15	29 [7] 31:3 55:10 55:11 55:12 55:13 55:14 55:15	6 [11] 3:22 29:11 30:23 46:6 46:9 50:16 50:24 51:12 51:23 53:24 55:11	agencies' [1] 11:19	
13 [3] 29:25 30:10 55:18	-3-	-3-	6.7.3.4 [1] 3:12	agency [1] 11:16	
13th [1] 23:13	3 [4] 28:19 31:6	3 [4] 28:19 31:6	6/3/94 [1] 55:23	aggravation [1] 48:5	
14 [6] 27:25 29:17 30:13 31:7 31:13 55:19			605 [1] 7:5	aggrieved [1] 3:8	
15 [3] 29:22 30:16 55:20			-7-	ago [1] 52:10	
151 [1] 14:25			7 [5] 14:22 26:9 28:23 29:15 55:12	agree [1] 38:20	
16 [2] 30:24 55:21				agreement [1] 37:10	
16th [1] 10:6				AKA [2] 8:2 15:11	
				alienating [1] 6:13	

46:6 46:9 55:11
55:12 55:13 55:21
55:22 55:23 55:24
56:5 56:6
articles [4] 19:23
22:3 24:24 27:21
assumed [1] 15:6
assumption [1] 38:14
assumptions [1]
10:20
attached [3] 8:14
22:2 23:19
attorney [2] 2:10
32:16
attorneys' [1] 33:19
auction [6] 14:10
14:22 26:9 26:22
28:17 28:22
auctioning [1] 40:21
August [4] 21:22
22:15 30:23 31:6
automatically [1]
47:18

-B-

B [2] 55:4 56:3
backs [1] 36:20
bad [1] 41:16
Barbara [3] 28:16
32:15 55:7
Barrens [20] 1:3
3:9 3:13 3:20
5:24 14:24 20:23
21:20 22:6 22:8
24:4 26:17 27:2
29:12 32:4 41:4
41:6 41:18 45:5
51:13
based [4] 8:15
16:18 35:2 46:15
basis [4] 13:25 34:25
38:17 44:2
beg [1] 12:19
beginning [3] 18:20
20:11 22:5
behind [1] 26:14
better [2] 10:15
28:7
between [2] 12:6
42:17
bid [2] 24:9 26:8
big [1] 11:10
bill [3] 41:16 49:9
49:15
black [1] 15:11
blame [1] 12:23
blink [1] 45:14
Block [1] 26:6
blocks [1] 45:3
board [6] 2:4
3:5 3:11 3:14
5:7 45:7
book [1] 26:9

bothered [1] 43:20
bottom [1] 48:2
bought [1] 36:23
boundaries [1] 49:7
boundary [1] 52:14
branches [1] 5:21
Breslin [1] 31:3
brief [4] 4:9 5:2
22:22 32:13
briefly [3] 5:15
18:2 22:7
bringing [1] 14:13
brochure [3] 10:13
28:19 55:8
Brookhaven [16]
8:13 9:23 13:2
25:16 30:8 30:11
30:15 30:22 49:4
49:5 51:24 52:18
52:21 55:17 55:18
55:19
brought [1] 21:11
buddy [1] 15:2
Budget [1] 29:19
build [1] 47:23
builders [2] 47:20
47:23
building [4] 6:6
7:20 9:3 9:8
buildings [1] 15:15
burden [2] 35:18
38:21
business [1] 50:16
buy [4] 25:23 37:3
43:16 44:11

-C-

C [4] 2:2 8:14
30:12 55:18
calculated [1] 49:25
California [1] 12:12
cannot [1] 12:23
caprices [1] 12:14
case [8] 8:18 16:2
17:6 17:19 28:25
46:3 52:17 55:9
ceased [2] 14:14
14:15
Centereach [1] 40:24
Central [2] 3:13
51:12
certain [3] 22:11
43:14 47:25
certainly [1] 46:18
CERTIFICATION [1]
57:2
certified [1] 21:23
certify [1] 57:6
chain [3] 33:22
36:11 39:13
chains [1] 33:16

Chairman [2] 2:6
8:7
chance [1] 4:14
change [1] 48:22
changed [1] 52:11
chapter [3] 51:12
51:17 51:23
charade [1] 15:20
charging [1] 13:14
Chave [4] 8:23
19:5 29:2 55:9
check [2] 36:16
41:19
Chris [1] 33:18
Church [2] 12:10
19:7
circumstances [2]
45:6 45:15
circumvents [1]
48:4
citizen [3] 11:25
13:25 14:8
citizens [4] 12:23
13:17 15:6 19:11
Civic [1] 48:15
clarification [1]
16:9
clarity [1] 5:22
class [2] 17:18 30:14
clear [4] 17:14 20:11
20:13 36:8
clearing [1] 34:18
CLEARINGHOUSE
[1] 1:4
Clearinghouses' [1]
32:8
clearly [2] 52:9
52:12
clients' [1] 23:24
close [4] 4:18 27:5
42:20 50:15
closed [1] 9:19
closer [1] 16:5
closest [1] 42:13
Code [1] 8:13
collecting [1] 15:5
collection [1] 17:7
comfortable [1]
33:22
coming [1] 35:16
comment [4] 32:11
46:25 48:18 51:2
comments [1] 53:21
commercial [2] 5:19
23:3
commission [2] 4:17
32:5
Commissioner [1]
10:4
committee [1] 15:13
common [1] 46:20

Company [1] 7:4
compensation [1]
5:25
complacent [1] 12:21
complete [3] 14:18
14:21 34:11
completely [1] 26:13
Comprehensive [1]
51:13
concept [2] 8:2
40:16
conception [1] 22:6
concern [2] 19:11
22:24
concerning [1] 30:11
concerns [2] 20:17
22:10
confirm [1] 10:21
conform [1] 45:10
conforming [1] 16:22
conjunction [1] 11:9
consecutively [1]
54:5
conservative [1]
7:22
consider [1] 3:6
consideration [3]
15:25 50:9 50:12
considered [2] 19:21
33:24
conspiracy [1] 12:25
Constantino [1]
9:24
constitute [1] 11:17
constitutes [1] 11:25
construction [1]
5:18
contained [2] 3:9
3:21
contiguous [1] 39:6
contingent [1] 35:6
contradictions [1]
11:18
Controversy [1]
31:5
copies [4] 12:16
18:5 22:3 49:23
Coppleman [3] 11:6
52:7 52:11
copy [13] 5:11
5:13 9:2 14:5
18:14 18:19 19:5
32:6 32:14 49:9
50:20 51:22 53:4
core [12] 14:16 14:24
15:7 16:8 16:10
22:9 26:17 40:22
40:25 41:4 41:24
45:5
corporate [1] 47:10
correct [9] 10:20
33:10 37:21 37:22
38:18 38:19 40:23

42:22 49:5
correctly [1] 34:24
CORWIN [1] 2:12
cost [5] 7:6 17:20
34:7 34:13 44:6
costs [2] 7:14 7:19
Counsel [1] 2:11
county [22] 10:11
12:11 13:5 14:9
17:21 19:7 23:7
23:15 23:25 24:2
24:5 24:13 25:11
26:5 26:21 27:8
28:20 30:3 31:11
40:21 48:15 50:2
couple [2] 45:16
48:10
course [1] 19:21
Court [5] 8:24
12:8 19:6 29:10
55:10
cover [2] 13:23
13:24
coverage [1] 14:14
credibility [1] 27:17
credit [20] 1:4
3:20 9:18 9:22
10:9 10:17 11:14
13:21 16:13 16:15
16:18 16:23 29:12
33:9 34:22 39:2
39:25 48:25 51:8
51:18
credits [11] 3:9
11:4 11:12 16:5
16:6 16:8 16:9
25:10 25:19 35:2
52:13
criteria [4] 16:7
16:19 46:9 51:7
cross [1] 52:13
crossed [1] 32:22
current [1] 9:5
cut [3] 33:25 37:10
37:17

-D-

D [1] 55:3
date [17] 3:5 6:7
8:17 23:16 28:16
29:13 30:8 33:25
36:6 37:11 37:15
37:17 37:19 38:2
38:5 54:6 55:17
dated [14] 5:3
21:21 23:13 25:6
27:22 27:23 27:23
27:25 28:14 29:24
30:25 31:7 31:18
31:23
dates [1] 8:16
Davis [1] 23:11
deal [1] 34:10
dealt [1] 5:20

Dear [1] 28:15	21:7	19:6	file [1] 8:7	Grandfather [1] 8:3
DEC [1] 2:13	diverted [1] 15:10	evidence [1] 42:3	filed [1] 7:5	grass [2] 25:2 29:16
deceive [1] 17:11	Division [1] 28:21	exactly [1] 42:24	filing [1] 39:13	gray [1] 9:20
decided [1] 35:7	documentation [4] 8:8 14:19 18:3	example [2] 9:21	financed [1] 15:12	Great [1] 1:10
decision [5] 8:24 12:8 17:16 29:10 55:10	documents [2] 37:14 54:3	examples [2] 19:10 20:9	financial [1] 13:18	greatly [1] 7:20
declares [2] 13:6	Dollar [1] 9:6	except [2] 8:21 38:8	finish [2] 21:9 24:18	GRECCO [25] 20:3
deed [3] 34:3 49:19	dollars [1] 15:17	excluded [1] 16:11	Fire [1] 31:14	20:19 21:3 24:15
deeds [2] 49:24	done [2] 11:10 40:7	Excuse [1] 18:15	first [12] 3:15 3:18 5:11 12:9 13:2 18:4 19:6 24:22 28:10 37:13 48:18 51:4	33:5 33:12 33:20 34:4 34:23 35:11 35:15 35:21 37:9 37:15 37:23 38:11 38:16 38:20 39:20 40:3 40:7 40:11 40:18 42:2 42:7
DEEMED [2] 55:5 56:4	DONNA [1] 2:18	exempt [2] 46:6 47:3	five [4] 37:2 39:5 39:7 46:4	Growing [1] 29:16
deep [1] 23:23	DORIS [1] 2:11	exhibit [6] 19:2 28:3 28:11 28:24 55:5 56:4	folder [1] 24:22	Grucci [1] 31:14
defend [1] 17:21	double [1] 41:19	exhibits [2] 24:16 54:4	folders [1] 8:6	guaranteed [2] 39:12 45:13
definitely [1] 12:6	down [6] 25:22 26:2 44:5 47:14 53:9	existing [1] 42:13	following [2] 12:20 16:7	Guazzo [4] 8:23 19:5 28:25 55:9
demonstrated [1] 37:24	Dr [3] 11:6 52:7	expect [1] 39:3	fool [1] 41:17	-H-
denied [1] 12:2	drawn [1] 12:6	expectation [1] 7:9	foot [4] 16:20 16:21 24:10 46:10	H [2] 55:4 56:3
Dennis [2] 45:18 48:14	driving [1] 9:8	expediter [1] 5:16	force [1] 9:9	hand [1] 57:11
deny [1] 17:23	duck [3] 17:9 17:9	expeditiously [1] 28:9	foremost [1] 48:19	HANLEY [1] 2:7
Department [8] 9:23 10:11 28:21 30:3 45:21 48:15 51:20 53:10	due [2] 7:13 36:15	expense [4] 15:14 35:14 36:16 48:5	form [1] 30:11	hapless [1] 14:8
depending [1] 16:21	DUFFY [1] 2:8	expenses [1] 47:22	formula [1] 8:15	happy [1] 18:12
derived [2] 8:18 18:8	-E-	experience [1] 5:17	forward [1] 42:4	hard [1] 15:17
description [3] 21:9 55:5 56:4	E [5] 2:2 2:2 55:3 55:4 56:3	explain [1] 7:25	four [4] 6:16 31:10 31:11 45:14	Havens [1] 19:15
deserve [1] 16:4	easily [1] 51:24	exploit [1] 11:12	fourth [1] 48:20	hawking [1] 26:22
designated [1] 52:23	East [2] 19:16 20:21	eyes [1] 48:24	Friedman [2] 28:16 55:7	hay [1] 15:2
determined [1] 14:7	Eastport [1] 7:3	-F-	frontage [1] 8:17	heads [1] 10:14
develop [1] 44:11	efficient [1] 53:12	fact [6] 6:3 9:6 9:13 11:22 36:16 50:6	fund [1] 15:12	Health [7] 10:12 16:24 30:3 45:21 48:15 51:19 53:10
developer [1] 44:8	eighteen [2] 6:5	facts [1] 20:20	funds [1] 19:20	hear [1] 3:15
developers [1] 11:10	either [3] 16:19 17:6 28:2	factual [1] 33:4	furnish [1] 51:22	hearing [14] 1:7 1:15 3:3 3:4 3:6 3:11 3:14 3:23 4:13 4:18 5:12 22:14 31:2 50:14
developing [1] 7:9	elected [1] 27:14	fair [2] 15:8 17:3	furthest [1] 47:14	heartless [1] 15:20
development [3] 30:4 46:13 46:20	eliminated [1] 9:16	fairness [1] 15:22	-G-	held [4] 3:5 4:13 28:22 31:2
deviate [1] 22:11	end [4] 4:18 4:19 8:5 10:23	familiar [3] 19:22 19:25 20:18	Gaffney [1] 31:15	help [1] 26:4
devised [1] 13:22	English [5] 12:9 19:6 25:21 29:9 55:10	family [1] 22:25	gasoline [1] 25:13	Herbert [1] 23:11
different [3] 43:4 43:6 47:10	enhance [1] 7:12	fancy [1] 38:25	Gazza [1] 3:17	hereby [2] 3:3 57:6
difficult [1] 41:13	entire [1] 45:3	far [2] 4:23 33:2	gcsc [1] 26:18	hereunto [1] 57:10
direct [2] 10:21 14:10	entitled [1] 16:4	fate [2] 13:20 14:3	general [3] 2:11 15:12 35:24	highlighted [2] 18:7 26:10
directed [1] 23:10	environmental [1] 16:11	favor [1] 37:7	generally [1] 43:21	Highway [1] 1:10
disagreeing [1] 40:12	equals [3] 9:12 16:16 33:9	February [5] 3:22 27:24 30:25 31:17 32:17	gimmicks [1] 16:25	Hires [1] 31:15
discuss [1] 4:19	Ernest [3] 17:24 29:24 32:13	fee [1] 34:15	Girandola [1] 10:3	Hoffstaetter [56] 4:21 4:25 5:5 6:11 6:16 6:21 17:25 18:16 18:18 19:4 20:5 20:25 21:4 21:12 21:18 22:21 24:17 24:21 29:24 30:18 32:14
disguise [1] 17:11	essentially [1] 9:19	feeling [1] 19:11	given [1] 3:4	
dispute [2] 41:8 52:15	established [1] 16:19	fees [1] 39:14	Glendale [1] 12:10	
distance [2] 42:11 42:12	estate [3] 5:18 19:16 28:22	feet [8] 23:3 23:22 23:23 42:17 42:18 42:20 43:2 45:9	golf [1] 19:21	
district [3] 11:5 49:3 49:7	estimate [1] 42:20	fell [1] 24:21	good [3] 36:2 39:8 44:2	
districts [1] 8:17	estimation [1] 42:25	felt [1] 10:16	government [9] 5:21 12:21 13:6 13:15 13:19 15:4 15:22 17:2 20:8	
distrust [2] 21:5	evaluation [1] 46:14	few [2] 42:9 48:18	government's [2] 9:15 12:25	
	Evangelical [2] 12:9	figure [1] 41:13	governmental [3] 11:16 19:13 21:5	

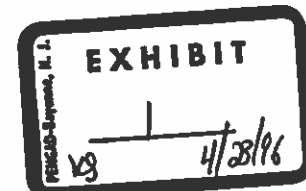
Index Page 4

31:3		ongoing [1]	24:25	part [4]	8:11 13:2	plots [1]	13:19	50:11	
Northville [1]	25:12	onto [1]	23:3	18:17 18:21		PLUNKETT [2]		property [25]	6:2
Notary [1]	57:5	open [6]	4:13 19:19	particular [2]	18:13	2:18 41:5		6:4 7:2 8:21	
note [1]	11:15	20:21 24:20	50:14	51:7		point [2]	39:17 53:7	12:3 13:16	14:23
noted [1]	54:7	53:24		Party [1]	28:15	pointless [1]	33:15	14:23 17:3	17:7
notes [1]	10:23	opening [2]	26:8	Parviz [2]	1:8	pong [1]	11:20	19:25 23:18	23:24
nothing [5]	20:22	27:10		3:18		poor [3]	14:16 15:15	24:12 25:24	26:12
20:23 36:25	38:6	opinion [1]	27:15	passes [1]	47:17	25:19		26:14 26:14	33:23
38:12		opposed [1]	5:23	Past [1]	31:22	portray [1]	17:10	36:5 36:24	39:7
notice [3]	3:2	order [1]	46:12	path [1]	43:17	position [1]	33:6	40:22 43:11	43:19
3:3 3:23		ordinances [1]	52:2	pawn [1]	15:20	positively [1]	11:12	proportional [1]	9:7
November [1]	29:19	organization [1]	27:18	pay [3]	13:7 13:12	possibilities [1]	36:14	proposal [1]	23:14
now [13]	3:16 7:25	original [1]	21:24	14:17		possible [4]	11:11	propose [1]	35:22
8:4 12:18	18:2	ours [1]	7:18	payback [1]	17:22	13:24 33:3	49:11	proposing [1]	21:10
19:9 19:20	25:8	outlined [1]	53:2	payer [1]	17:20	preceeded [1]	7:18	prove [7]	21:6
26:19 28:8	32:24	outside [2]	14:15	paying [1]	13:19	preexisting [2]	38:17	35:18 35:22	35:24
36:19 52:9		16:8		penalty [1]	13:11	38:22		37:13 38:21	39:10
number [31]	4:6	overt [1]	17:17	people [8]	10:15	premeditation [1]	12:24	proves [1]	21:4
7:5 14:25	28:14	overview [1]	4:10	20:13 22:10	27:16	prepare [2]	34:10	provide [1]	14:20
28:19 28:24	29:5	owed [1]	14:12	37:4 43:14	43:17	36:11		provided [1]	5:13
29:9 29:11	29:15	own [10]	6:3 13:3	53:15		prepared [2]	32:13	public [6]	1:7
29:18 29:21	29:23	14:3 14:4	36:21	per [3]	9:22 11:5	34:5		1:15 3:3	3:4
30:2 30:7	30:10	36:22 37:5	38:14	11:14		preparing [1]	34:8	4:13 57:5	
30:13 30:16	30:24	45:23 51:25		percent [2]	25:4	present [2]	2:16	purchase [7]	7:10
31:2 31:8	31:9	owned [5]	23:25	25:5		18:10		24:7 24:8	37:4
31:12 31:16	31:18	36:5 36:24	39:6	perhaps [2]	16:14	presentation [4]	5:14 8:5 18:21	47:6 47:8	47:9
31:20 31:21	32:7	43:18		19:12		24:19		purchased [9]	6:24
34:25 43:3	46:16	owner [3]	36:3	period [1]	39:5			7:5 7:8	9:10
		36:4 36:4		permit [1]	5:16	presented [1]	38:3	19:17 36:3	46:12
-O-		owner's [1]	7:18	permits [1]	5:19	24:19		46:17 47:4	
observation [1]	17:14	owners [8]	6:12	perpetrated [1]	11:24	presenting [1]	20:9	purchases [1]	17:2
occasions [2]	11:7	6:14 6:17	6:19	person [4]	20:18	preservation [1]	5:23	purchasing [1]	15:7
52:8		13:25 36:18	44:15	27:13 41:14	43:13	5:23		pursuant [1]	3:12
odds [2]	37:6 39:8	45:22		persons [1]	3:7	preserve [1]	28:5	put [9]	8:15 16:14
off [4]	14:10 33:25	ownership [1]	46:5	perusal [1]	27:11	preserved [2]	32:23	30:19 42:4	43:7
37:10 37:17		owning [1]	11:24	peruse [1]	5:8	37:20		43:12 44:3	44:21
offer [1]	9:12			petitions [1]	25:2	presumed [1]	25:18	47:23	
offered [1]	16:6			phonetic [8]	9:25	presuming [1]	39:5	putting [1]	43:20
offering [1]	11:13			10:4 11:6	19:15	pretty [3]	36:2	puzzles [1]	25:13
office [2]	27:14			28:17 33:18	52:7	37:6 39:8			
33:19				52:12		price [4]	17:4 25:10		
official [2]	24:13					26:7 44:19			
41:11						prices [1]	14:11		
officials [2]	25:17					principle [1]	9:10		
27:13						printed [1]	8:9		
often [1]	25:25					private [1]	9:16		
old [2]	11:20 25:20					problem [2]	43:10		
once [3]	15:2 19:2					43:11			
44:20						proceed [1]	4:22		
one [40]	4:23 5:9					profit [2]	7:13		
9:13 9:22	11:2					44:21			
11:16 13:8	16:13					profitceering [1]	14:13		
16:15 16:16	16:23					project [1]	22:16		
18:3 18:22	19:2					projects [1]	15:16		
23:17 24:16	26:23					Promulgated [1]	30:5		
26:25 27:6	27:21					proof [2]	35:9		
27:22 27:23	27:25					38:24			
28:2 28:6	28:13					properties [8]	22:12		
33:8 33:9	34:9					22:13 22:14	23:9		
34:22 36:3	40:2					23:10 23:15	33:13		
40:10 43:7	44:7								
45:2 47:24	48:2								
53:8 53:18									
ones [2]	47:18 49:12								

reads [1] 20:16	residents [1] 23:2	26:25 27:5 27:5	sitting [1] 25:20	22:19 23:17 50:23
real [5] 5:18 25:14	respect [4] 12:18	38:8 38:9 46:22	situation [4] 12:7	such [5] 3:11 15:13
28:21 47:12 47:13	20:10 47:6 47:19	sell [1] 14:22	13:18 39:15 47:4	27:14 27:18 39:14
realized [1] 17:4	respond [1] 4:15	selling [2] 27:8	size [2] 45:11 46:17	Suffolk [9] 10:11
really [6] 26:23	response [2] 23:4	44:18	slick [2] 16:24 47:13	13:5 17:21 23:25
27:11 27:12 37:2	45:24	send [1] 44:17	smack [1] 23:23	24:3 24:14 28:20
43:18 44:7	retroactive [1] 17:18	sensitive [1] 16:12	smart [1] 47:13	30:2 32:4
reason [1] 21:19	return [1] 21:24	sent [3] 21:23 24:6	sole [1] 14:17	suggest [2] 4:12
reasonable [4] 12:3	review [1] 34:15	26:5	solicitation [1] 44:17	51:21
12:4 15:23 36:14	reviewed [1] 4:16	sentence [1] 32:20	someone [2] 39:4	suggesting [2] 35:12
reasonably [3] 11:23	Reynolds [2] 10:13	separate [28] 6:5	41:8	40:4
15:7 45:10	10:16	8:2 8:20 16:20	somewhere [1] 51:7	Sunday [1] 31:13
receipt [2] 21:24	right [12] 5:2	18:8 18:19 24:23	sorry [1] 29:8	Sunrise [1] 1:10
21:25	14:19 16:3 17:16	30:8 30:12 33:8	sort [1] 49:17	Supervisor [2] 21:22
received [1] 10:12	17:17 35:19 37:20	33:24 34:5 34:8	space [2] 19:19	30:22
receiving [3] 52:3	38:17 38:22 52:3	34:11 34:14 34:21	20:21	supply [1] 49:9
52:19 52:24	52:18 52:24	35:3 35:17 36:7	span [1] 37:3	support [1] 25:2
recent [1] 49:15	rights [2] 6:25	36:12 36:15 37:8	speak [4] 9:25	supporting [1] 50:17
recently [1] 52:2	30:4	37:19 37:25 38:4	10:2 25:17 25:21	Supreme [5] 8:23
recommend [1] 50:14	River [1] 1:10	39:13 39:22 47:3	speaking [2] 36:19	12:7 19:5 29:10
record [14] 4:12	road [12] 7:13 7:19	September [3] 23:13	36:20	55:10
8:12 18:17 28:5	8:17 42:13 43:2	29:24 30:5	spend [3] 33:16	surrounded [1] 24:11
32:3 32:10 32:23	43:7 43:12 43:20	series [1] 27:20	38:7 39:4	surrounding [1] 36:17
40:20 44:16 48:13	44:3 46:12 47:16	Services [2] 10:12	spill [1] 25:13	survey [4] 33:21
48:23 50:18 53:23	ROBERT [1] 2:8	48:16	SPITZ [1] 2:13	34:16 34:20 39:12
57:8	ROTH [4] 2:11	set [6] 9:4 13:23	split [1] 7:11	surveys [2] 33:13
records [1] 8:9	18:15 48:11 50:7	14:6 29:12 51:17	splits [2] 8:25	33:16
reduced [1] 7:20	routes [2] 25:2	setbacks [1] 9:4	40:17	swap [1] 23:15
refer [2] 24:25 31:24	29:16	setting [1] 23:5	spoke [5] 9:24	swapping [1] 23:9
reference [1] 22:15	Roy [1] 10:13	settled [1] 25:9	10:5 10:10 11:7	system [2] 9:18
regard [1] 22:12	rules [1] 11:19	setup [1] 22:9	52:6	13:21
regarding [3] 23:14	run [2] 34:12 34:16	several [2] 11:7	square [3] 16:20	
33:3 42:4	runaround [1] 11:21	52:8	16:21 23:2	-T-
regardless [2] 9:5		sheet [1] 18:9	staff [9] 4:10 4:14	T [2] 55:4 56:3
13:17		shock [2] 14:18	4:17 26:11 26:15	tail [1] 10:14
relatively [1] 44:20	-S-	14:21	28:11 32:3 32:5	taking [5] 6:2
relevance [2] 20:3	S [3] 2:2 55:4	shocker [1] 25:15	55:6	12:2 12:14 17:12
20:6	56:3	shore [2] 22:14	stamps [2] 49:24	25:3
relevant [2] 21:20	S&S [2] 55:17 55:18	31:3	49:25	tax [9] 15:5 15:17
22:7	salaries [1] 15:14	Shoreham [1] 17:19	standards [2] 30:14	17:20 23:19 25:5
relying [1] 25:11	sale [1] 14:10	short [1] 23:7	55:19	26:6 26:12 49:9
remain [1] 53:23	sales [3] 15:5 25:5	show [2] 37:24 38:3	starting [1] 3:25	49:15
remember [1] 43:13	28:17	showed [1] 37:16	state [5] 5:22 29:8	taxes [8] 6:4 7:2
renting [1] 15:14	save [2] 5:10 29:16	side [3] 36:22 36:23	40:19 41:22 57:6	13:7 13:12 13:19
replaced [1] 9:17	saw [1] 27:4	36:25	statement [3] 40:20	14:12 14:17 17:7
reply [1] 10:8	says [3] 48:20 49:19	signed [1] 30:19	49:17 50:8	telling [1] 35:16
report [5] 4:11	51:8	simply [3] 8:15	states [2] 12:7	ten [1] 6:6
28:11 32:3 50:21	scattered [1] 43:4	16:14 36:16	12:13	testimony [1] 57:9
55:6	scheduled [1] 3:24	Sincerely [1] 17:24	stenographer [1] 5:9	Thank [2] 53:24
representative [1] 4:9	scheme [1] 46:20	single [28] 6:5	5:9	54:2
request [2] 5:11	school [4] 8:16	7:25 8:20 16:19	still [1] 48:2	therefore [2] 46:7
49:8	11:5 49:6 52:14	18:7 22:25 24:23	stops [1] 17:7	46:21
requested [1] 34:25	search [3] 34:6	30:8 30:11 33:8	strange [1] 26:18	thinking [1] 12:24
research [2] 11:9	34:9 34:14	33:24 34:5 34:8	street [4] 8:22	Thomas [1] 10:3
26:15	searches [1] 39:22	34:11 34:13 34:21	8:22 23:22 24:11	threat [1] 17:13
researched [1] 26:23	seated [1] 17:15	35:2 35:17 36:7	strict [6] 9:20 11:2	three [5] 13:9 31:11
researching [1] 25:16	second [5] 3:16	36:12 36:15 37:7	11:3 51:5 51:18	32:19 37:13 45:14
residence [2] 9:13	28:13 29:3 31:6	37:18 37:25 38:4	strike [1] 42:21	through [6] 11:18
12:5	52:5	39:12 39:21 47:2	studies [1] 15:13	18:2 34:12 39:11
residential [3] 5:19	section [3] 3:12	SINGROSSI [2] 57:5 57:16	Subject [1] 22:13	47:23 48:6
6:4 7:2	26:6 32:12	site [1] 29:2	submit [4] 4:11	thrown [1] 14:2
	see [8] 25:18 26:2	sites [1] 31:11		

times [2] 40:5 47:25			WHEREOF [1] 57:10		
title [5] 6:25 33:23 36:11 38:12 39:13		-U-	whole [2] 19:2 26:19		
titles [1] 33:17		ultimately [1] 17:22	wide [1] 23:22		
today [8] 3:24 4:6 4:17 17:15 17:23 21:11 35:6 45:19		un [1] 39:2	WILLIAM [1] 2:13		
today's [2] 3:5 7:21		unbuildable [1] 13:16	willing [3] 39:21 39:25 43:12		
token [1] 11:14		unconscionable [1] 47:22	Wiplush [1] 32:15		
top [1] 44:14		under [6] 3:23 16:6 38:14 45:6 45:15 46:8	wish [1] 10:23		
total [3] 43:2 44:6 45:23		understand [4] 34:24 35:5 40:15 40:15	within [3] 45:8 52:17 57:8		
totally [1] 47:21		unfair [1] 12:13	without [7] 22:12 28:15 29:13 42:24 45:4 45:14 51:16		
Town [29] 8:9 8:13 9:22 13:2 16:23 18:5 25:15 26:2 30:7 30:10 30:14 30:22 32:16 33:18 34:12 35:8 35:9 37:18 41:3 41:11 49:4 49:5 51:24 52:17 52:21 53:18 55:17 55:18 55:19		Unit [1] 28:18	WITNESS [1] 57:10		
trade [1] 15:3		United [1] 12:7	wolves [1] 14:2		
transcript [1] 57:8		unlikely [1] 37:5	wonder [1] 15:19		
transfer [2] 23:9 30:4		unrealistic [2] 39:3 39:16	wonders [1] 14:9		
transfers [1] 49:4		unrelated [1] 19:13	woods [1] 34:18		
treat [1] 46:19		unsigned [2] 30:17 55:20	word [2] 6:12 50:5		
Trees [1] 29:17		unwarranted [1] 39:17	words [2] 14:4 36:10		
TREZZA [1] 2:17		up [8] 4:21 23:8 24:20 26:11 27:10 43:16 44:15 50:3	works [2] 31:14 44:8		
tried [3] 10:2 13:23 53:18		up-zones [1] 37:17	worth [3] 24:6 43:23 44:22		
Tripp [32] 2:6 3:2 4:20 5:3 6:8 6:14 6:18 18:24 21:8 21:16 22:18 24:18 27:19 28:8 29:4 32:16 32:25 35:4 39:18 41:7 42:9 42:19 43:3 44:10 45:17 48:7 50:19 51:21 52:15 52:23 53:11 53:20		up-zoning [2] 8:16 13:4	worthless [1] 15:15		
true [2] 11:23 57:8		upset [1] 26:7	write [1] 29:5		
try [2] 14:21 17:10		used [3] 11:4 15:12 16:10	written [1] 4:15		
trying [3] 13:24 25:16 53:7		uses [3] 9:20 51:18 53:5	wrong [1] 40:13		
Tuesday [1] 28:23		-V-	-X-		
turns [1] 34:21		v [2] 29:2 55:9	X [4] 44:4 55:3 55:4 56:3		
twenty-three [1] 5:17		vacant [2] 13:7 50:11	-Y-		
twice [1] 41:24		value [9] 7:22 9:6 9:12 9:12 13:23 14:6 15:8 17:3 24:2	year [6] 13:8 13:10 14:11 37:2 39:5 49:10		
two [9] 3:15 4:13 10:25 11:3 19:23 22:16 45:2 45:9 50:15		values [1] 23:5	years [3] 5:17 6:6 39:7		
tying [1] 25:22		varies [2] 42:16 42:17	yet [1] 25:9		
typing [1] 5:10		verification [1] 50:4	yield [5] 9:8 9:11 16:17 16:22 46:15		
		verified [1] 50:6	yields [1] 46:22		
		versus [4] 8:23 12:11 19:5 19:7	York [3] 1:10 29:2 57:6		
		voucher [1] 9:18	yourself [1] 48:12		
		vouchers [1] 13:22	-Z-		
		-W-	Zarabi [2] 1:8 3:18		
		walk [2] 51:19 53:9	zoning [7] 9:5 12:4 18:9 30:14 45:7 51:25 55:19		
		watches [1] 14:9			
		ways [1] 43:6			
		weeks [2] 4:14 50:15			
		wetlands [2] 14:15 26:21			

①



Presentation to: PINE BARRENS CREDIT CLEARINGHOUSE.

Appeals Case "Mr. Parviz Zarabi & others

Hearing date 23 April 1996 @ 3:30pm.

Location: 3525 Sunrise Hwy. Great River, New York. 11739

Contact Person: Mr. John C. Milazzo, Esq. (1)(516)563-0385.

Good Afternoon, First I will request a copy of the minutes of this hearing and have provided you with a copy of my presentation Briefly my qualifications I am a Para-legal Permit Expediter, I have 23 years experience in construction, real estate commercial and residential permits and have dealt with almost all branches of government. Let me state for clarity we are not opposed to the preservation of the Pine Barrens, just in your method of compensation for the taking of our property.

Fact we own and have paid residential property taxes on 18 single and separate building lots for 10 years to date apx. \$55,000.00.

Prior to that other individuals whom we purchased all rights and title from paid residential property taxes since 21 July 1892 when the map of "Eastport Land and Improvement Co." Map #605 was filed We purchased these lots in 1986 at a cost of apx. \$100,000.00+, The lots were purchased with the full expectation of developing each and every lot also to purchase additional lots and split our larger lots. Which would enhancing our profit margin due to road improvement costs which were anticipated. Keep in mind if an application preceded ours road improvement costs would be greatly reduced. Each building lot in today's market would have a very conservative market value of at least \$25,000.00 to \$35,000.00 improved. I will now explain the Single and Separate (S&S) concept aka. Grandfather Law Town Of Brookhaven Code Local Law 85-372 c(2) attached, based on a formula of up-zoning dates by location, school districts and road frontage a date is derived. In this case it would be 26 May 1975 If the parcel was, S&S no abutting property in same name except for street to street, Guazzo vs. Chave Supreme Court decision 18 April 1969, you have a building lot with setbacks set by this law, regardless of current zoning. Fact dollar value is not proportional to an increase in lot area, building yield is the driving force. When a large parcel is purchased the principal is the same yield, improvements, market value = offer. A lots value is in the fact one residence can be placed upon it. By governments actions you have eliminated any private market for these parcels and replaced it with a voucher credit system, essentially a closed market with strict very gray area uses. ie. when asked what we could use one credit for per T.O.B. Planning Dept. No reply Per S.C.D.H.S. Don't know!

If my assumptions are correct and I will confirm it with direct questions 1. do they have a strict and limited use. 2. Credits may only be used in the same School District. Then I would say that in conjunction with other research I have done, only Big Developers would have any possible use for these credits and will positively Exploit and Abuse the market by offering token amounts per credit. Also I would note an approval by one governmental agency dose not constitute an approval by another through contradictions in each agencies rules and interpretations, (the old ping pong run-around).

Fact if what I have stated is reasonably true what is being perpetrated upon this land owning citizen constitutes almost a taking, in that we have been denied reasonable use of our property (reasonable being what is zoned for "a residence"). Some parallels can definitely be drawn between our situation and United States Supreme Court decision of 9 June 1987, First English Evangelical Lutheran Church of Glen Dale, appellant vs. County of Los Angeles California no 85-1199 which states an inherently unfair caprices and arbitrary taking by a municipality

Now with all due respect I will beg your indulgence.

Being nice and complacent with government DOSE NOT WORK!!!!!!.

You can not blame citizens for thinking there was no premeditation and conspiracy on governments part. First the Town Of Brookhaven on its own motion dose a major up-zoning. Then Suffolk County government declares if you don't pay your taxes on a vacant parcel we will take it in one year instead of three.

Then a year or so later they add a \$100.00 penalty if you don't pay on time, besides the interest they were already charging. Then government declares your property un-buildable but the citizens regardless of there financial situation must keep on paying taxes while government plots there fate.

Then a system of credit vouchers is devised and instituted, with No value set, to try to cover all possible legal bases, and then Citizen owners are thrown to the Wolves and left to there own fate.

By your own words, no value set, no use determined!!!!!!!!!!.

But the hapless Citizen watches and wonders how the County can direct sale and auction off each year at inflated prices, "Not for owed back taxes", but profiteering and keeping the overage amount from the ceased lands even wetlands, ceased outside the core area because some poor sole couldn't pay there taxes. and to my complete shock even try to sell at the auction on for 7 May 1996 property in the Pine Barrens CORE AREA , ie. Parcel #151 and Never once saying hay buddy how about a trade.

Then government keeps collecting the 1/4¢ sales tax that citizens assumed was to go for purchasing core lands at reasonably fair market value, and comes to find out this money is misappropriated and diverted into the infamous Big Black Hole aka. the general fund and used for such things as committee studies, salaries, expense accounts, renting buildings, worthless PORK projects.

Our Tax Dollars Hard At Work!!!!

I wonder why we feel like a pawn in some heartless charade.

ALL THAT IS ASKED IS GOVERNMENTAL FAIRNESS.
WE WOULD HOPE YOU ARE ALL REASONABLE AND HONEST MEN AND TAKE
ALL WE HAVE SAID INTO CONSIDERATION.

HOPEFULLY THIS CASE IS ABOUT DOING THE RIGHT THING!!!!!!

We deserve and are entitled to closer to 18 credits,
not the 2.33 credits offered, ONLY under the following criteria.

(USE OF CREDITS OUTSIDE THE CORE AREA & EXCLUDE ENVIRONMENTAL
SENSITIVE LAND).

1 Credit equals 1 house increase in lot yield, anywhere.

Credit based on long established criteria either S&S, or
20,000sq.ft. / 40,000sq.ft. conforming lot yield.

1 credit includes Town and Health approval, NO SLICK GIMMICKS!!!!

Or government purchases our property at fair market value, which
is the price we would have realized prior to there actions.

In either case the collection of property taxes STOPS
immeditatley!!

A DUCK IS A DUCK IS A DUCK, NO MATTER HOW YOU TRY TO PORTRAY
DISGUISE OR DECEIVE.

!!!!!!!!!!!!!!!!!!!!!! THIS IS A TAKING !!!!!!!!!!!!!!!!!!!!!!!!!!!!!

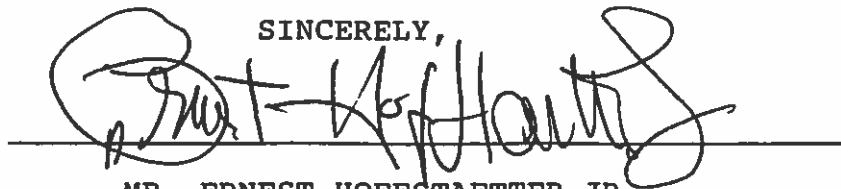
THIS IS NOT A THREAT BY US, JUST A CLEAR OBSERVATION. BY EACH
OF YOU SEATED HERE TODAY MAKING THE RIGHT DECISION AND DOING
WHAT IS RIGHT, YOU WILL OVERT AN, INEVITABLE:

RETROACTIVE

CLASS ACTION LAW SUIT

AS IN THE CASE WITH SHOREHAM.
THIS WILL COST EVERY TAX PAYER IN SUFFOLK COUNTY TO DEFEND AND
ULTIMATELY WITH INTEREST PAY BACK WHAT YOU DENY HERE TODAY

SINCERELY,

A handwritten signature in dark ink, appearing to read "Ernest Hoffstaetter Jr.", written over a horizontal line.

MR. ERNEST HOFFSTAETTER JR.
AGENT FOR OWNERS
5 RIVERSIDE AVE. MASTIC BEACH, NEW YORK 11951
(1) (516) 399-0367



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*

P.O. Box 587
3525 Sunrise Highway, 2nd Floor
Great River, New York 11739-0587
516-563-0385 / Fax 516-277-4097

**Commission and PBC Clearinghouse Meeting Summary (FINAL) for May 15, 1996
(Approved by the Clearinghouse Board 7/9/96 and by the Commission 7/10/96)**

**Joint Meeting with Pine Barrens Credit Clearinghouse Board of Advisors
Brookhaven Town offices, Building 4, Medford / 2:00 pm**

Present: Mr. Dragotta (for Suffolk County), Mr. Girandola and Ms. Wiplush (for Brookhaven), Ms. Filmanski (for Riverhead), Mr. Freleng (for Southampton) and Mr. Cowen (for New York State).

General counsel was Ms. Roth. Staff members from the Commission and other agencies included Mr. Corwin, Ms. Trezza, Ms. Plunkett, Mr. Milazzo, Mr. Hopkins (from the Commission), Mr. Spitz (from the NYS Department of Environmental Conservation), Mr. Cochrane (Suffolk County Treasurer), Mr. Tripp, Mr. Grecco, Mr. Hanley, Mr. Pally (from the Pine Barrens Credit Clearinghouse Board of Advisors; present at the times indicated), and Mr. Moran (from the Suffolk County Department of Health Services). Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order by Mr. Dragotta at approximately 2:20 pm. A five member quorum of the Commission was present throughout the meeting. At the start of the Commission meeting, Mr. Tripp, Mr. Grecco, and Mr. Hanley were present; thus, the Clearinghouse Board did not have a quorum at that time.

Administrative

- **Public comments**

Summary: Mr. Olsen, representing Civil Property Rights Associates, requested copies of the resolutions passed at the 5/1/96 meeting regarding title policy and purchases of Pine Barrens Credit Certificates. Mr. Corwin provided one and will provide the other as soon as possible.

Mr. Amper, representing the Long Island Pine Barrens Society, spoke on three topics. First, he reported that the initiative and referendum drive to place upon the ballot a modification of the County's Drinking Water Protection Program, has received approximately 20,000 signatures. The signatures are undergoing a check for validity now, before submittal of the petitions.

Second, the Advisory Committee has received and discussed the Commission's letter via counsel regarding the Advisory Committee's functions under the pine barrens law. He reported that the Advisory Committee does not agree with the Commission's position, and that many of the members helped to design the law. He observed that the Advisory Committee has decided not to focus on that disagreement, but rather on the issue of funding the acquisition program.

Third, he stated that the Commission is using executive sessions for holding discussions and making decisions that should be made in open session. He indicated that he did not wish to have to file suit regarding this issue.

Pine Barrens Credit Program

- **Suffolk County Treasurer's report: Mr. Cochrane**
Summary: Mr. Cochrane, the Suffolk County Treasurer, went over the attached report on the Clearinghouse funds for the period ending 4/30/96. He recommended that the funds be reallocated among certificates of deposits so that there is a certificate of deposit maturing each month. Specifically, he suggested that \$500,000 be moved into a certificate of deposit from its current money market status. This will require a vote of the Clearinghouse, as soon as there is a quorum today.

Commission Administrative

- **Draft budget for 1996-97 fiscal year**
Summary: Mr. Corwin went over the attached draft budget for the 1996-97 fiscal year. He explained that a draft budget was needed now, prior to the adoption of the final state budget, because the Commission's insurance policy for directors and officers was due for renewal prior to Jun 9, 1996, and the renewal application requires a budget breakdown. A final budget will be provided and adopted once the final version of the state budget is settled.

A motion was made by Mr. Cowen and seconded by Mr. Freling to approve the attached draft budget for the Commission's administrative funding for the 1996-97 fiscal year. The motion was approved by a vote of 5-0.

- **Financial disclosure (not on the original agenda)**
Summary: Mr. Girandola asked whether the staff members file financial disclosure forms. Ms. Roth replied that the staff members are not required to, since they do not hold policymaking positions. Mr. Corwin noted that he has one on file already with Suffolk County since he is a County Park Trustee.
- **Proposed joint meeting with Advisory Committee: at 5/29 Commission meeting**
Summary: Mr. Corwin explained that the Advisory Committee has proposed a joint meeting with the Commission at the previously scheduled Commission meeting on 5/29/96. Mr. Girandola suggested that a separate Commission meeting date be

scheduled for only that purpose. That was informally agreed, and the staff will coordinate the selection of such a date.

Compatible Growth Area (Commission)

- Manorville Nursery Expansion / Manorville: materials; setting of hearing
Summary: Ms. Plunkett summarized the application materials received to date, and distributed copies to the Commissioners.

A motion was made by Mr. Girandola that no public hearing be held on the Manorville Nursery Expansion application, and stated that Brookhaven Town will provide all minutes of the hearings which have been held on this project. The motion was then seconded by Mr. Freleng for purposes of discussion. In the ensuing discussion, it was agreed that the Commission can still ask the applicant for additional materials as deemed necessary. Mr. Cowen stated that he was unwilling to vote for such a resolution today without reviewing the materials distributed at today's meeting. The discussion touched upon the project's conformance with the Plan, and the overall requirements of the statute. The motion was then approved by a vote of 3-1-1, with the dissenting vote cast by Mr. Cowen and the abstention cast by Mr. Dragotta.

- Application of clearing standard to small, ZBA approved lots
Summary: Ms. Plunkett distributed a summary (attached) of the clearing conditions which the Commission has previously applied as part of Compatible Growth Area decisions, including but not limited to the small, Zoning Board of Appeals (ZBA) lot splits (which only occur in Brookhaven, not in the other two towns). She suggested that the Commissioners review the document prior to discussing it.

Mr. Girandola raised the question of what clearing standard should be applied in the case of the ZBA lot splits of uncleared land. Mr. Pavacic was present at this point. Mr. Spitz suggested that, if a new standard is deemed necessary, then it could be applied to only those new ZBA lot splits which arise in the future. It was agreed to place this on the 5/29/96 Commission agenda, and that Brookhaven Town will work on a proposal for addressing these cases.

- Quogue Quick Storage / Quogue Village: staff overview
Summary: Ms. Plunkett noted that the applicant's representative, Mr. Marcks, will be here later in the meeting. She summarized the application involving an industrial subdivision consisting of five lots along Old Country Road in Quogue Village. She discussed the application, the site plan map, and the vegetation concerns.

Mr. Marcks arrived at this point. He noted that a 1987 approval from the Village required a 40 foot buffer along Old Country Road. Mr. Cowen asked if there was any nondevelopment exemption in the pine barrens law for industrial subdivisions, and it was agreed that there was not. A discussion was held regarding whether a Compatible Growth Area hardship application needs to be filed, whether a new hearing would then be needed, and what standards for hardship (core or CGA) need to be

applied.

A motion was then made by Ms. Filmanski and seconded by Mr. Freling to (1) accept the applicant's request for an extension of the Commission's decision deadline on this application to 6/12/96 and (2) to accept a request by Mr. Marcks today to convert the current application to an application for a CGA hardship application. The motion was approved by a vote of 4-1, with the dissenting vote cast by Mr. Girandola.

- Change of zone referrals and SEQR coordinations (faxed; follow up from 5/1)
Summary: Ms. Plunkett had previously distributed a packet of coordination letters and comment requests for pending change of zone requests from Brookhaven Town. In the discussion which followed, the effect of changes of zones within receiving areas was discussed, including possible effects upon the demand for purchase of Pine Barrens Credit Certificates. It was agreed that the Commission does not need to see every project within the towns, but that there is a general class of projects for which notice should be sent to the Commission.

A motion was made by Mr. Cowen and seconded by Mr. Freling to recommend that, in the review of change of zone applications affecting as of right receiving areas, the towns undertake to the extent legal and possible to encourage the redemption of Pine Barrens Credits; and to further advise that the Commission does not need to see all change of zone applications within the entire town. The motion was approved by a vote of 5-0.

Mr. Pally arrived at approximately 4:00 pm, and a four member quorum of the Clearinghouse Board was then present.

Pine Barrens Credit Program

- Draft agreement with SC Treasurer: discussion
Summary: Ms. Roth had faxed the attached draft agreement with the SC Treasurer for the investment of the Clearinghouse's capitalization funds. The revised document contains language addressing the concerns of Suffolk County that the County was not indemnified.

A motion to approve the draft agreement was made by Mr. Cowen. At this point, Ms. Wiplush noted that she had not received the draft agreement until just now, and Mr. Girandola stated that documents should not be distributed so close to the meeting date. After a brief discussion, the motion was seconded by Ms. Filmanski. The motion was then approved by a vote of 4-0-1, with the abstaining vote cast by Mr. Girandola.

Mr. Cochrane left at this point.

Plan Implementation

- ECL Article 57 amendments: status
Summary: Mr. Corwin reported that the amendments, bill number A8846A/S6112A,

have been passed by the Assembly, and are awaiting action by the Senate.

- Riverhead Town code amendments: status

Summary: Ms. Filmanski provided copies of the Riverhead Town code amendments which have been adopted by the Riverhead Town Board already. Ms. Roth will examine the amendments and they will be placed on the agenda for the 5/29/96 meeting.

- NY Army National Guard load training (not on the original agenda)

Summary: Mr. Corwin reported that the first load lift of the abandoned vehicles will be held on 5/23/96, with an accompanying press conference. He asked if there were any remaining concerns with respect to liability, and Ms. Wiplush stated that a document should be drawn up stating that the town is not liable for the work. A discussion ensued regarding the plans for the work, the safety procedures, and the jurisdictions involved.

Clearinghouse Administrative

- Draft summary for 4/23 Clearinghouse meeting: corrections, approval (faxed)

Summary: A motion was made by Mr. Hanley and seconded by Mr. Grecco to approve the summary of the Clearinghouse meeting of 4/23/96. The motion was approved by the Clearinghouse Board by a vote of 4-0.

Core Preservation Area

- Letter of Interpretation: summary of applications; issuance of new letters

Summary: Mr. Milazzo distributed the attached summary of complete Letter of Interpretation applications and associated staff reports through 5/15/96. He summarized the new applications for Letters of Interpretation and the Clearinghouse Board discussed each. The results are as follows:

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.10 credit on the application of the estate of Josephine Sullivan (200-528-2-20). The motion was approved by the Clearinghouse Board by a vote of 4-0.

A motion was made by Mr. Pally and seconded by Mr. Grecco to allocate 0.10 credit on the application of Harold Nussbacher (200-530-1-22). The motion was approved by the Clearinghouse Board by a vote of 4-0.

A motion was made by Mr. Pally and seconded by Mr. Hanley to allocate 2.64 credits on the application of Louis Gartenberg (600-137-4-10.4). The motion was approved by the Clearinghouse Board by a vote of 4-0.

A motion was made by Mr. Grecco and seconded by Mr. Pally to allocate 6.54 credits on the application of Louis Gartenberg (600-137-4-11.6), and to stipulate that the

allocation may be reduced by 1.00 credit if a dwelling is determined to be on that parcel. The motion was approved by the Clearinghouse Board by a vote of 4-0.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.21 credit on the application of John Leonhardt (900-167-2-8). The motion was approved by the Clearinghouse Board by a vote of 4-0.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.10 credit on the application of Peter E. George, Jr. (900-212-6-16). The motion was approved by the Clearinghouse Board by a vote of 4-0.

A motion was made by Mr. Hanley and seconded by Mr. Pally to allocate 0.21 credit on the application of Mavis Branch-Payne (900-215.1-1-38). The motion was approved by the Clearinghouse Board by a vote of 4-0.

A motion was made by Mr. Hanley and seconded by Mr. Pally to allocate 3.00 credits on the combined applications of George Mathys (900-286-2-19,22, and 37). The motion was approved by the Clearinghouse Board by a vote of 4-0.

- PBC Certificates: issuance of first certificate

Summary: Mr. Tripp, acting as Chair of the Clearinghouse Board, signed the first Pine Barrens Credit Certificate for the Nicholas Aliano application, Certificate number 200-001. The signed original certificate will be forwarded to Mr. Aliano.

- Gazza / Southampton: Clearinghouse public hearing on allocation appeal
- New Clearinghouse Board meeting

Summary: Mr. Gazza arrived at this time with a letter requesting an extension of the decision deadline on his credit appeal. He stated that he has not completed all of the single and separate searches for the parcels involved in the appeal, and needs additional time. A discussion then ensued over the significance of single and separate status in deciding credit allocation appeals, the specific lots involved in the Gazza appeal, and the relationship of the Southampton Town development rights to the Commission program.

A motion was then made by Mr. Pally and seconded by Mr. Grecco to (1) accept the request for a delay of the decision date for the Gazza credit allocation appeal, (2) to set a new date of 6/18/96 for the Gazza decision, and (3) to schedule a meeting of the Clearinghouse Board of Advisors for 6/18/96 at 3:00 pm at the Commission office. The motion was approved by the Clearinghouse by a vote of 4-0.

- Parviz Zarabi / Manorville: credit appeal decision (5/15 deadline)

Summary: Mr. Grecco reported that the lots involved in this appeal are shown as currently owned by Suffolk County, and thus not eligible for credits. After a brief discussion, a motion was made by Mr. Pally and seconded by Mr. Grecco to deny without prejudice the credit allocation appeal decision for the Zarabi / Manorville application. The motion was approved by the Clearinghouse Board by a vote of 4-0.

- Expressway 60 Patent and Bernard Meyer / Manorville: credit appeal decisions (5/15 deadline)
Summary: Mr. Tripp noted that single and separate status is not necessarily a basis for a full credit being allocated to a parcel, however, the Plan does acknowledge the significance of certain roadfront parcels in the core area. He also discussed the State Wild, Scenic and Recreational Rivers Act regulations, and announced that those constraints will not be applied in deciding this appeal. Mr. Grecco also noted that the County's Health Code Article 6 was considered as well. It was decided to issue a total of 21.8 credits for all 37 parcels involved in the appeal. A motion was then made by Mr. Hanley and seconded by Mr. Grecco to issue a total of 21.8 credits for these 37 parcels involved in the appeal. The motion was approved by the Clearinghouse Board by a vote of 4-0.

Clearinghouse Administrative

- Authorizing the movement of funds among investments by the SC Treasurer (not on the original agenda)
Summary: A motion was made by Mr. Hanley and seconded by Mr. Pally to approve and authorize the transfer of \$500,000 by the Suffolk County Treasurer from its present location in a money market account to a certificate of deposit. The motion was approved by the Clearinghouse Board by a vote of 4-0.

Pine Barrens Credit Program

- Pine Barrens Credit valuation: status of final report
Summary: Mr. Corwin reported that Dr. Nicholas will have a new draft completed by 5/21/96. No further discussion was held.
- PBC purchase policy: discussion, proposed letter
Summary: Two draft, work in progress versions of a letter to core area owners regarding the purchase of Pine Barrens Credits were discussed. Mr. Cowen suggested deleting certain sections of the draft letter proposed by Mr. Tripp, and it was agreed to remove it. It was further agreed to have comments sent to Ms. Roth for production of a new version.

Mr. Tripp raised the question of what additional efforts the Commission or the Clearinghouse could make to help the program. He was particularly concentrating upon the issues which affect small lot owners. After a brief discussion, a motion was made by Mr. Pally and seconded by Mr. Hanley to authorize Mr. Tripp, as Chair of the Clearinghouse Board, to work on the new version of the credit purchase letter on their behalf. The motion was approved by the Clearinghouse Board by a vote of 4-0.

- Extension of appeal time for past recipients of interpretation letters: proposed letter
Summary: A motion was made by Mr. Hanley and seconded by Mr. Grecco to approve the attached letter to core area owners who have already received a Letter of

Interpretation authorizing an extension of the time in which they may file an appeal of their Letter of Interpretation. The motion was approved by the Clearinghouse Board by a vote of 4-0.

- Title policy: payment of title insurance fees, implementation
Summary: Mr. Corwin raised the question as to whether the administrative costs of the Clearinghouse (e.g., appeal hearing stenography, legal notices, etc.) should be paid from the Commission's administrative budget or the Clearinghouse funds. It was informally agreed that all administrative costs of the Clearinghouse operation should be paid from the Commission's administrative budget.

Administrative

- Public comment
Summary: Mr. Hofstader, representing the Zarabi / Manorville appeal, summarized portions of the statement he had read into the record for his client at the previous Clearinghouse meeting.

Ms. Hendrix, a core area property owner, asked about the use of any income which the Clearinghouse may realize from the sale of credits. Several Board members explained the revolving fund nature of the capitalization fund to her.

Mr. Dittmer, representing Civil Property Rights Associates, spoke briefly about the suit which some New Jersey property owners had filed a few years after the New Jersey development rights transfer program began.

Executive Session and Adjournment

Summary: A motion was made by Mr. Cowen and seconded by Mr. Freling to enter into executive session for the purpose of discussing current litigation. The motion was approved by a vote of 5-0. The Commission entered into executive session at approximately 6:06 pm.

A motion was later made by Mr. Girandola and seconded by Mr. Dragotta to exit from executive session. The motion was approved by a vote of 5-0, and the Commission returned to open session at approximately 7:02 pm. The meeting was immediately adjourned without a formal resolution.

Attachments:

1. Speaker Sign-in and Attendance Sheets.
2. SC Treasurer's report on Clearinghouse funds (4/30/96)
3. Draft Commission budget for 1996-97 fiscal year (5/15/96)
4. Summary of applications to the Commission (5/15/96)
5. Draft agreement with SC Treasurer
6. Complete Letter of Interpretation Applications (5/15/96)