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CENTRAL PINE BARRENS

JOINT PLANNING AND POLICY COMMISSION

----- :
: In the Matter of the Interpretation :
: Appeal of :
: :
: JOSEPH GAZZA :
: :
: Requesting an allocation of 1.2524 Pine :
: Barrens Credits rather than the :
: allocated 0.18 Pine Barrens Credits. :
: :
----- :

HEARING in the above-captioned matter, held
on the 14th day of March, 2001 at 3:25 P.M., at
Riverhead Town Hall, 220 Howell Avenue, Riverhead,
New York, pursuant to Section 6.7.3.4 of the Plan,
Notice of Hearing, and before Sheila Pariser, R.P.R.,
a Notary Public of the State of New York.

ORIGINAL

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421-2255

692-7363

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

2
3 RAY E. COWEN, P.E., Member, DEC Regional Director
4 and WILLIAM H. SPITZ
5 Representing George Pataki, Governor

6
7 JOHN J. LA VALLE, Member
8 Supervisor, Town of Brookhaven
9 BY: BARBARA WHIPLUSH

10 ROBERT KOZAKIEWICZ, Member
11 Supervisor, Town of Riverhead
12 BY: JOEY MAC LELLAN

13 VINCENT CANNUSCIO, Member
14 Supervisor, Town of Southampton
15 BY: JEFFERSON MURPHREE

16 RAY CORWIN, Executive Director of Commission

17 DONNA PLUNKETT, Staff to Commission

18 MARK H. RIZZO, Environmental Analyst

19 MC MILLAN & RIGANO, ESQS.
20 Attorneys for Commission
21 BY: JAMES RIGANO, ESQ.

22 JOSEPH FREDERICK GAZZA, Appellant
23 P.O. Box 969
24 5 Ogden Lane
25 Quogue, New York 11959

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1 [THE HEARING WAS CALLED TO ORDER BY RAY
2 COWEN, P.E., AT 3:25 P.M.]

3
4 MR. COWEN: We are entertaining Mr. Gazza's
5 appeal now.

6 "The appellant, Joseph Gazza, was
7 allocated a total of 0.19 Pine Barrens
8 Credits in a Letter of Interpretation. The
9 letter was issued for Suffolk County Tax
10 Map Number 900-241-1-32. The parcel is
11 located to the north of Sunrise Highway,
12 (New York State Route 27), and east of
13 Summit Boulevard."

14 Now, Mr. Rizzo of the Staff, I
15 believe is going to open this with some
16 presentation.

17 MR. RIZZO: I am going to enter some exhibits
18 into the record. You have them in front of
19 you right now.

20 The first one is Exhibit Number
21 1, a letter dated January 25, 2001 from
22 Joseph Gazza to the Pine Barrens Credit
23 Clearinghouse asking for reconsideration of
24 the credit allocation. That's the letter
25 in front of me right now. He is asking for

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1.2524 credits, an increase from the 0.18 credit that he received in his letter.

[WHEREUPON LETTER DATED JANUARY 25, 2001 WAS MARKED COMMISSION EXHIBIT 1 IN EVIDENCE.]

MR. RIZZO: Commission's Exhibit Number 2 is a Staff Report prepared March 9, 2001 by the Commission Staff, and in the application section of the Staff Report you will see that the application was reviewed January 4, 2001 in the amount of 0.18 Pine Barrens Credits.

[WHEREUPON STAFF REPORT PREPARED MARCH 9, 2001 WAS MARKED COMMISSION EXHIBIT 2 IN EVIDENCE.]

MR. RIZZO: The appeal is January 25, 2001, the public hearing is today, March 24, 2001. The decision deadline is March 26, 2001, prior to your next meeting, but in a moment I will present a letter that Mr. Gazza has signed that will give you an extension of that decision deadline until the next meeting.

Again, the parcel is allocated 0.18 credits. Mr. Gazza is requesting

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1.2524 Pine Barrens Credits.

The parcel is zoned Country Residence 200, which is a minimum lot area of two hundred thousand square feet.

The acreage is 1.15 acres as per the Town Tax Assessor.

The development yield factor is .16, land use is vacant, and the parcel has a possible overlap problem which needs to be verified prior to issuing a Pine Barrens Credit.

Commission's Exhibit Number 3 is a Letter of Interpretation, Tax Map Number 900-241-1-32, dated January 4, 2001.

[WHEREUPON LETTER OF INTERPRETATION DATED JANUARY 4, 2001 WAS MARKED COMMISSION EXHIBIT 3 IN EVIDENCE.]

MR. RIZZO: The allocation is 0.19 credits.

MR. COWEN: That's different from what Mr. Gazza has in his letter by a difference of one hundredth of a credit.

MR. RIZZO: We are rounding the number.

Commission's Exhibit Number 4 and Commission's Exhibit Number 5 are aerial photo maps produced by Arc View

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1 Information. The aerial photography is
2 from the Suffolk County 1999 file. It was
3 read by a number of different agencies,
4 including the Suffolk County Planning
5 Commission and the Suffolk County Police.

6 The first map shows an overview
7 of the parcel. It is outlined in a pinkish
8 color. It is just that thin strip that you
9 really can't see there.

10 The applicant hit me. [LAUGHTER]

11 On the bottom on the south of the
12 picture is New York State Route 27, and the
13 surrounding parcels are outlined in a
14 bluish-whitish color. That's the close-up
15 version.

16 The next exhibit, Commissioner's
17 Exhibit Number 5, they zoomed out a little
18 bit to show the vicinity and Mr. Gazza's
19 parcel again is the reddish outline. It is
20 the long red line.

21 MS. WHIPLUSH: This long red line?

22 MR. RIZZO: Yes.

23 MR. COWEN: I thought this was south of the
24 Sunrise Highway.

25 MR. RIZZO: Mr. Gazza had other holdings that

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1 he sold to the County of Suffolk, not this
2 parcel. It is just the red strip.

3 [WHEREUPON AERIAL PHOTO MAPS WERE MARKED
4 COMMISSION EXHIBITS 4 AND 5 IN EVIDENCE,
5 RESPECTIVELY.]

6 MR. GAZZA: It is smaller than small.

7 MR. RIZZO: The final Commission's exhibit is
8 Exhibit Number 6, the Suffolk County Real
9 Property Tax Service Agency Tax Map for
10 Southampton, Section 341. That shows a
11 black star with an arrow pointing to the
12 parcel towards the top of the page, north
13 of Sunrise Highway, just to the west of
14 Warren. It is a paper street.

15 [WHEREUPON SUFFOLK COUNTY MAP SECTION 341
16 WAS MARKED COMMISSION EXHIBIT 6 IN
17 EVIDENCE.]

18 MR. RIZZO: Does anybody have any questions
19 on the evidence I put in?

20 If not, I have my final piece of
21 exhibit which is a letter dated today,
22 March 14, 2001:

23 "I, Joseph Gazza, request that
24 the decision deadline for my Pine Barrens
25 Credit Letter of Interpretation Appeal on

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1 Suffolk County Tax Map Number 900-241-1-32
2 be extended to April 14, 2001. That's
3 Commission's Exhibit Number 7.

4 [WHEREUPON LETTER DATED MARCH 14, 2001 WAS
5 MARKED COMMISSION EXHIBIT NUMBER 7 IN
6 EVIDENCE.]

7 MR. RIZZO: That gives you an extension of
8 the decision deadline until your next
9 meeting.

10 MR. COWEN: Does that conclude the Staff's
11 presentation?

12 MR. RIZZO: Yes.

13 MR. COWEN: I have a question on your
14 presentation. We had a discussion off the
15 record as to whether you have seen this
16 particular piece of property of Mr. Gazza
17 for another reason, and what was that
18 reason?

19 MR. RIZZO: Last year he appealed. He was
20 given a 0.19 credit, and he felt he should
21 get one credit because it is on Sunrise
22 Highway, because Sunrise Highway is a
23 limited access highway and not eligible for
24 the one credit allocation in the Plan.

25 MR. COWEN: It is the very same parcel?

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1 MR. RIZZO: Yes.
2 MR. COWEN: And this is the same request?
3 MR. RIZZO: No.
4 MR. COWEN: It is a new request?
5 MR. GAZZA: Joseph Frederick Gazza. I reside
6 at 5 Ogden Lane in Quogue and I am the
7 applicant and owner before this Commission
8 this afternoon for relief.

9 The relief that I am looking for
10 is a little bit more in credit application
11 for my parcel of property, and I have
12 actually five points to make, all simple,
13 all easy to put forth, and after you hear
14 these five points, there really should be
15 no reason why you shouldn't bump it up a
16 credit and get me out of here. I think I
17 can accomplish this in just a few minutes.

18 Point one is that the parcel of
19 land that we are talking about was acquired
20 by me in 1987. I have a copy of my deed,
21 Liber 10481, Page 15, marked Exhibit 1.
22 This copy of the deed is attached to a
23 guaranteed survey showing the premises and
24 more, and the premises is highlighted in
25 yellow.

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1 Now, you may have heard testimony
2 earlier it was only seven feet wide or
3 three feet wide. It is in fact 22.19,
4 almost thirty-three feet wide, so it is
5 grossly underestimated in width.

6 The parcel is a portion of a
7 larger tract than I have owned shown on the
8 key map over here, also highlighted in
9 yellow. [INDICATING]

10 The balance of the property was
11 sold to Suffolk County, and the title was
12 examined, insured not only for the portion
13 that the Suffolk County Board, but also for
14 the northerly yellow portion. The County
15 brought everything south of the Sunrise
16 Highway.

17 This is a long strip of land that
18 I own. It ran from the railroad tracks all
19 the way north to the middle line in the
20 Hamlet of Westhampton, Town of Southampton,
21 just to the west of the Suffolk County
22 Airport, and the County of Suffolk, south
23 of Sunrise Highway already. They bought it
24 last year.

25 [WHEREUPON DOCUMENTS WERE MARKED]

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1 APPELLANT'S EXHIBIT 1 IN EVIDENCE.]

2 MR. GAZZA:

3 We had actually gone into -- they
4 prepared a contract for the purchase of the
5 northerly portion, this one acre lot,
6 [INDICATING], but the funding dried up in
7 October or November, and the County was
8 unable to complete the purchase.

9 I have this parcel that is 1.588
10 acres. I made a prior appeal to this
11 Commission based on the road frontage,
12 which was denied and is not going to be the
13 topic of today's hearing, but point one is
14 the fact that it is an acre, it is
15 surveyed. The title is insured and it is a
16 single and separate parcel as certified by
17 a variance search dated March 13, 2001,
18 which I am going to be labeling Exhibit 2.
19 I am going to provide the original for the
20 Commission.

21 [WHEREUPON VARIANCE SEARCH DATED MARCH 13,
22 2001 WAS MARKED APPELLANT'S EXHIBIT 2 IN
23 EVIDENCE.]

24 MR. GAZZA:

25 We are already two points down
and only three to go.

MR. COWEN:

Which one is that?

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1 MR. GAZZA: It fronts on Sunrise Highway to
2 the south and Middle Line Highway to the
3 north, which is a dirt trail, and Sunrise
4 Highway is of course an improved road.

5 I am not arguing the point --
6 MS. WHIPLUSH: [INTERPOSING] Is this the same
7 parcel that you previously argued?

8 MR. GAZZA: It is.

9 MR. RIGANO: Other than Sunrise Highway, it
10 fronts on no other road?

11 MR. GAZZA: It fronts on Middle Line Road,
12 which is an unimproved road.

13 MR. RIGANO: It also fronts on Sunrise
14 Highway?

15 MR. GAZZA: Yes. There would be another
16 access to a service road if and when the
17 service road was connected.

18 MR. RIGANO: Is this the paper street you are
19 talking about?

20 MR. GAZZA: That would be adjacent to the
21 parcel, but once again, it is a filed map.

22 Hopefully, the next points are
23 going to make it a little more clear.

24 I went to the Suffolk County
25 Department of Health Services. I said,

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1 "Let's talk about this piece of land and
2 why was the County interested in acquiring
3 it from me? What importance does it have?"

4 The County Health Department
5 provided me with a map showing their
6 Division of Environmental Quality to the
7 Groundwater Zone Map, and I have
8 highlighted in yellow on this map, which is
9 going to be Exhibit Number 3, the
10 Groundwater Zone 3. This is the most
11 protected zone. It is where the water is
12 the purest and the aquifer -- it is the
13 zone that the Health Department has the
14 main thrust of protection focused on, which
15 is probably why the County of Suffolk
16 acquired my land in the first place, and I
17 have my parcel highlighted in red right
18 here, where there is this arrow. It says
19 Gazza Parcel .18 and I am asking for .8815.

20 As you can see, it is in the
21 middle of the Zone 3 area, the area
22 designated for the best groundwater and for
23 protection.

24 [WHEREUPON GROUNDWATER ZONE MAP WAS MARKED
25 APPELLANT'S EXHIBIT 3 IN EVIDENCE.]

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1 MR. GAZZA:

2 Accompanying this map that the
3 Health Department provided for me, they
4 gave me a photocopy of Article VI of the
5 Suffolk County Sanitary Code, and this
6 Article VI is marked Exhibit 4 for the
7 record, looking to Section 760-605-B-2.
8 That talks about the minimum lot size in
9 the Groundwater Management Zone 3 that can
10 adequately handle its own sanitary waste
11 and draw water from a well without being in
12 conflict with each other, and it is
13 designated that forty thousand square feet
14 would be the minimum to satisfy the Health
15 Department requirements for a self-
16 sustaining lot in this particular zone.

17 First, I have the County Health
18 Department focusing on forty thousand
19 square feet, which is a little less than an
20 acre as to their equivalent to a
21 development right. One house can handle
22 itself on forty thousand. I am equating
23 that to a development right from the Health
24 Department's point of view.

24 MS. WHIPLUSH:

Is that a building lot?

25 MR. GAZZA:

They talk just about lot area.

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1 I always look for prior cases
2 that maybe the Commission looked at or
3 maybe some court looked at or something to
4 bring this together, and in point four I am
5 going to bring to the Commission's
6 attention the fact that on October 25th of
7 2000 in connection with another applicant
8 before you, Mr. Sipala -- it sounds like
9 another Italian name -- Mr. Sipala happened
10 to be in the same position as I am. He
11 wanted more credits for his land.

12 Mr. Sipala has a parcel of land as shown on
13 the Exhibit 3 not too far away from the
14 Gazza parcel. This is the Sipala parcel.

15 [INDICATING]

16 Mr. Sipala's parcel, as shown on
17 Exhibit 6 and Exhibit 7 is a series of old
18 filed map lots, little twenty-by-one
19 hundred lots that are separated by paper
20 streets and do not front on an improved
21 road; and if one totaled the area of the
22 Sipala lot as stated in your report, I
23 think it was 3.52 acres. That's a total of
24 the Sipala lots, and your Board, on appeal,
25 granted Mr. Sipala 3.52 Pine Barrens

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1 Credits, and there is reference in here to
2 the Suffolk County Sanitary Code Yield Map.
3 So, apparently, Mr. Sipala had been before
4 you with a similar argument as I appear
5 before you today for.

6 Your Board saw fit to grant
7 Mr. Sipala the bump-up.

8 Now, based on the four points,
9 and the closeness of Mr. Sipala's property
10 to the Gazza property and the same type of
11 land, the same type of aquifer, Zone 3,
12 that should be enough to push my allocation
13 up to a little over a credit, which is what
14 I am looking for; but I know that I always
15 have to offer a little more to get the
16 support from everyone, and my last point is
17 that if I get the credit bump-up, I will
18 donate the fee title to my land to Suffolk
19 County so that the land goes to the County
20 at no taxpayer expense. It goes for free,
21 and I leave the table with my 1.12 credits,
22 whatever it is, and pass it on to the
23 County. They already have a title search,
24 they have a guaranteed survey, and it
25 should put this matter to rest. I don't

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1 think I am asking for anything that is
2 unreasonable or anything that the Board
3 hasn't previous granted to someone else.

4 [WHEREUPON DOCUMENTS WERE MARKED
5 APPELLANT'S EXHIBITS 4 THROUGH 7 IN
6 EVIDENCE, RESPECTIVELY.]

7 MR. GAZZA: Basically, that's my case. If
8 you have questions? All the exhibits are
9 yours. Thank you.

10 MR. COWEN: Any questions?

11 MR. MURPHREE: Joe, you are a residential home
12 builder. It is part of what you do. Could
13 you build a home on this property that
14 complies with zoning?

15 MR. GAZZA: I would need a variance in order
16 to be able to build on this property. I
17 have to go for road review because it is on
18 an unimproved road. I would most likely
19 need a dimensional variance, a lot width,
20 and because the lot is in the middle of the
21 Core Area of the Pine Barrens, the Board
22 that would hear this variance would not,
23 absent permission from this Commission for
24 use, I would say it would be very unlikely
25 to be secured.

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1 MR. MAC LELLAN: I have a question, and I don't
2 mean to be personal. Why would someone buy
3 a parcel like this?

4 MR. GAZZA: This is a portion of a larger
5 parcel that was ten acres. 9. -- nine-and-
6 a-half acres of the land. In the Town of
7 Southampton, nine-and-a-half acres of land
8 is a lot of land. It has value. The Town
9 has established the value at fifty-two
10 hundred dollars an acre based on their
11 appraisals. So, it had value.

12 It had value to Suffolk County,
13 it had value to Joe Gazza. It has value
14 today.

15 MR. MAC LELLAN: Okay.

16 MR. COWEN: Who is the surrounding property
17 owner?

18 MR. GAZZA: Suffolk County owns the bulk of
19 the area around this. I had some
20 information on that. I think on the tax
21 map the parcels owned by the County are
22 labeled. We have County of Suffolk on both
23 sides.

24 MR. COWEN: Any other members of the
25 Commission have questions of Mr. Gazza?

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1 MR. MURPHREE: The Commission members have a
2 question as to where the Sipala property is
3 located. We can't tell on the map as to
4 where it is actually located.

5 MR. RIZZO: The Town of Brookhaven on County
6 Route 111 in the Manorville-Eastport area.

7 MR. MURPHREE: Do we have a map?

8 MR. RIZZO: I don't have that map.

9 MR. GAZZA: Here you go. [HANDING]

10 MR. MURPHREE: So, the question is, is it one
11 contiguous property, and the answer is no?

12 MR. RIZZO: No. Alberto is on twelve
13 separate parcels, and Sipala is six
14 parcels. The zoning of them was A-
15 Residence 5, five acre zoning for the Town
16 of Brookhaven.

17 MR. GAZZA: It is in the same zoning as my
18 parcel is in, the same CR-21 zoning?

19 MR. RIZZO: Yes.

20 MR. GAZZA: So, we have equivalent zoning,
21 the same Health Department Zone, not too
22 far away, maybe about a half a mile away.
23 You can scale it off of the Health
24 Department Map.

25 MR. MURPHREE: You are looking at almost five

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1 miles away. Actually, this is not a bar
2 scale. You need a bar scale to actually
3 scale it. So, we can't look at this map.

4 MR. COWEN: Any other questions of Mr. Gazza?

5 [NO RESPONSE]

6 Any questions or statements by
7 members of the audience?

8 MR. AMPER: Richard Amper; Executive Director
9 of the Long Island Pine Barrens Society.

10 Is the appellant's testimony that
11 the County paid him five thousand dollars
12 an acre for nine acres of his property, and
13 ran out and didn't have five thousand
14 dollars to buy the last acre?

15 MR. GAZZA: Correct.

16 MR. AMPER: The County represents that it
17 doesn't have five thousand dollars to
18 acquire land?

19 MR. GAZZA: I have a letter from the County
20 saying they have no money to acquire my
21 land as of November, 2000. Alan Greco said
22 there was no funds available.

23 MR. AMPER: Well, for the record, the County
24 has represented to others in the room that
25 that's not the operative case, and I would

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1 be quite surprised if the County didn't
2 have five thousand dollars to buy land in
3 the first place, and the second question I
4 have is what's the difference between the
5 appellant's property and his property?

6 On what basis would the
7 Commission have granted the bump-up in the
8 one case and deny it on the next?

9 MR. COWEN: I had actually intended to get
10 into that when we discussed the merits of
11 this.

12 MR. AMPER: I have no further comments. I am
13 just raising both of those questions to the
14 Commission.

15 MR. COWEN: The Commission is in fact
16 cognizant that there are, in fact,
17 differences between the two, and I believe
18 the discussion on that would be on April
19 4th when we consider the application for
20 approval.

21 MR. GAZZA: If I may respond?

22 I am going to read from the
23 letter dated January 9, 2001 from the
24 Office of the County Legislature by George
25 Guldi:

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"Dear Mr. Gazza:

"In response to your letter of January 20th, I contacted Alan Greco of Suffolk County Department of Real Estate regarding the ten parcels of vacant land you and your family members own on the west side of Westhampton/Riverhead Road opposite Zabreski Airport.

"Mr. Greco explained that although there was authorization to acquire your property under prior resolutions, the program which funds such acquisition has expired in November, 2000. A separate resolution is necessary for acquisition under the new program.

"I include a copy of his interim letter for your information."

MS. WHIPLUSH: That doesn't say the funds ran out.

MR. GAZZA: "Mr. Greco did not address your other offers, specifically one and two. Since introducing another resolution for acquisition can be an arduous process, I am requesting Mr. Greco to review the other options before making a decision to

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proceed.

Thank you for your patience."

Actually, I can read the letter from Alan Greco. This letter is from the Office of County of Suffolk, Alan Greco, Division Director, Department of Planning, Division of Real Estate.

"Dear Legislator Guldi," dated January 24, 2001. "I am writing to you in connection with your letter of January 17, 2001 regarding Joseph Gazza. We have authorization to acquire his property by earlier resolution. However, I wish to bring to your attention the fact that the Drinking Water Protection Program which funds the Pine Barrens Core Acquisition has ended November 30, 2000.

"To my knowledge, there is no automatic linkage between the old program and the new program.

"In other words, if we were to consider acquisition of this property under the new quarter percent program, a separate resolution would be necessary to do so.

"As to the prior Drinking Water

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1 Protection Program, I am also sure that you
2 are aware that the sales tax revenues have
3 been less than that originally estimated,
4 as the balance of the money available in
5 the prior drinking water account, all of
6 same are earmarked for other matters in
7 contract.

8 "In conclusion, while we have
9 authorization to acquire this property,
10 there is no funding available under the
11 prior program. If there is a desire to
12 acquire these properties, a separate
13 resolution will be necessary to do so under
14 the new quarter percent program.

15 "I trust the above answers your
16 question. If you wish to discuss this
17 matter, please feel free to contact me.

18 "Best regards. Very truly yours,
19 Alan Greco."

20 MR. COWEN:

21 So, to the extent that this is
22 relevant, it would only be relevant because
23 Mr. Gazza is in front of us with an
24 application for credit appeal instead of
25 selling his land to the County.

I will entertain one more brief

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1 comment. I don't want to belabor this
2 because it is not terribly relevant to this
3 proceeding. Go ahead.

4 MR. AMPER:

I received a letter from the
5 County Executive last week indicating a
6 resolution will be introduced and approved
7 February 27th qualifying all parcels
8 approved under the Old Drinking Water
9 Protection Program to be considered under
10 the new, and I will be happy to provide
11 that to you.

12 MR. OLSEN:

Walter Olsen, President of Civil
13 Property Rights, Incorporated.

14 I would like to preface my
15 remarks by saying I don't presume to speak
16 for Mr. Gazza here, and he has not asked me
17 to speak for him. I make my comments
18 solely on my own conclusions that I come to
19 as I listen to the proceedings, and I'd
20 like to say again that what you keep
21 fighting here is this formula that you are
22 using that just simply doesn't warrant
23 enough money being paid for the development
24 rights on these parcels, and you are
25 continually up against that formula. It

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892-7383

1 really can't bring your program -- to get
2 these development rights purchased, and it
3 needs to be changed.

4 You need to do something to
5 remedy this.

6 I would go further then to say
7 that you are being penny-wise and pound
8 foolish in this instance because if you
9 were to combine the man hours, which
10 translates into taxpayer dollars, that has
11 been spent to review and redo and review
12 again and send to another Board to review
13 the properties that Mr. Gazza owns, you
14 could have purchased them long since for
15 less money than has been expended in the
16 legal process that you have undertaken.

17 I think for the small amount more
18 that he is asking for in this credit
19 appeal, that you would be foolish not to
20 simply grant him the additional.

21 What do you have to lose? How
22 many more people are going to get precious
23 few more dollars for their properties, and
24 you get the thing done with?

25 I urge you to grant him the

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1 additional credits that he is requesting on
2 this appeal.

3 MR. COWEN: Anyone else from the public wish
4 to make a statement?

5 There being none, I am not so
6 sure that there is a reason to hold this
7 hearing record open at this point. I think
8 all the exhibits have been presented. I
9 don't believe we anticipate anything
10 further, so we will close the record and
11 note that a decision is due on this matter
12 by the end of our next meeting on April 4,
13 2001.

14 Thank you.

15 [WHEREUPON THIS HEARING WAS CLOSED AT 4:00
16 P.M.]

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25COMMISSION EXHIBITS MARKED IN EVIDENCE

Exhibit 1:	Letter dated 1/25/01	Page 4
Exhibit 2:	Staff Report prepared 3/9/01	Page 4
Exhibit 3:	Letter of Interpretation, 1/4/2001	Page 5
Exhibit 4:	Aerial photo map	Page 7
Exhibit 5:	Aerial photo map	Page 7
Exhibit 6:	Suffolk County Map, Section 341	Page 7
Exhibit 7:	Letter dated 3/14/01	Page 8

APPELLANT'S EXHIBITS IN EVIDENCE

Exhibit 1:	Documents	Page 10
Exhibit 2:	Variance Search dated 3/13/01	Page 11
Exhibit 3:	Groundwater Zone Map	Page 13
Exhibit 4:	Article 4	Page 17
Exhibit 5:	Sipala appeal dated 10/25/2000	Page 17
Exhibit 6:	Sipala parcel	Page 17
Exhibit 7:	Sipala parcel	Page 17

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