JOSEPH FREDERICK GAZZA

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March 18, 1996

Pine Barrens Credit Clearinghouse
P.O. Box 587
3525 Sunrise Highway Second Floor
Great River, New York 11739-0587

Re: Appeal of Credit Allocation to parcels itemized below

Dear Commission Members,

Thank you for computing the Pine Barrens credits on several of the parcels of Core Pine lands owned by the undersigned. I respectfully request reconsideration of your determinations as set forth below and would like to appear before your Commission to present orally my appeal. This request is made in accordance with Pine Barrens Credit Program Handbook p.9.

Re: SCTM#900-215.2-1-28 PBC=.24 PBC Requested=1
Reasons: Parcel is a 1.33 ac. single and separate lot on a filed subdivision map with roads provided

Re: SCTM#900-238-2-4 PBC=3.07 PBC Requested=3.78
Reason: Parcel has two road frontages and CR-200 lots could be created without new roads thus 200,000 s.f. should equal 1 development right.

Re: SCTM#900-280-2-51 PBC=.10 PBC Requested = 1
Reason: Parcel is a .28 ac. single and separate lot on a filed subdivision map with roads provided.

Re: SCTM#900-280-2-53 PBC=.10 PBC requested = 1
Reason:Parcel is a .05 acre single and separate lot on a filed subdivision map with roads provided.

Re: SCTM#900-280-2-55 PBC =.10 PBC requested = 1
Reason: Parcel is a .05 acre single and separate lot on a filed subdivision map with roads provided.

Re: SCTM#900-280-2-61 PBC = .10 PBC requested = 1
Reason: Parcel is a .25 acre single and separate lot on a filed subdivision map with roads provided.

Re: SCTM#900-304-3-1 PBC =6.47 PBC requested = 7.83
Reasons: Parcel has extensive road frontage and also numerous dead end streets on adjoining subdivision map which could be additional access for further subdivision of the CR-200 zoned tract.

Re: SCTM#900-334-1-21 PBC 1.79 PBC requested = 2.16
Parcel is a 9.92 ac. tract with three dead end streets on adjacent subdivision map which could be utilized for future subdivision of this CR-200 zoned tract.

I oppose having to pay for a title search on my various properties to satisfy your Clearinghouse. I am prepared to give you a Bargain & Sale Deed and an Affidavit of Title but it has always been the buyer's expense to obtain a title certification.

For example,for me to obtain your suggested .10 PBC for my .28 ac. parcel 900-280-2-51 the paperwork alone will cost me:

(1) 30 year title abstract.....$400.00(minimum)
(2) Possibly a survey..... ?
(3) Preparation of the Conservation Easement.....Legal Fees
(4) Filing Fee with County Clerk.....$52.00 +
(5) Certified copy provided by Title Co. of easement to Commission.....$100. ±

$552 minimum +

Is it the intent of your Commission for participants in this program to proceed with various legal documents without consulting an attorney. What attorney is going to spend the time and effort to complete a PBC application for less than $1000.00? Thus at an absolute minimum it's going to cost $1552.00 in paperwork for .10 of PBC. For this reason it is necessary to give more credits for owners' land and then to develop better receiving areas if the program is going to work.

Respectfully submitted,

JOSEPH FREDERICK GAZZA

cc: file

PINE BARRENS

CREDIT CLEARINGHOUSE

In the Matter of the

Public Hearing on the Appeals of

JOSEPH GAZZA

3525 Sunrise Highway
Great River, New York 11739

April 23, 1996
4:50 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: We are going to commence the hearing concerning the appeal of Joseph Fredrick Gazza. It's the same notice as for the preceding hearing.

MS. ROTH: This is a separate transcript.

MR. TRIPP: The notice is Exhibit 1 for this proceeding.

MR. GAZZA: Mr. Chairman, Joseph Fredrick Gazza appearing. Thank you for the opportunity to attest your accreditation of the parcels. I would like to consider it not a contest but a review.

I know we are at early stages in determining what Pine Barrens credits are going to be allocated, certainly very early stages as to what Pine Barren credits are worth. As you are aware, I submitted a list of twenty parcels within the Town of Southampton that I own for determination as to credits.

I have distributed a little cover letter outlining four points that I am going to ask the Commission about, ask your Commission about pertaining to these twenty parcels. And I have a list attached to this cover letter which outlines the twenty parcels that I own, their sizes, their zone, it's PBC, Pine Barrens Credits that the Commission determined would be appropriate. And the requested PBC that I felt would be more appropriate as a larger number, of course.

MR. TRIPP: Do you have an extra copy of this that we can mark as an exhibit?

MR. GAZZA: Certainly.

MR. TRIPP: Could we mark as Exhibit 2 the appeal letter for Mr. Gazza, dated April 23, 1996 which he has just described with an attachment titled, Letters of

Interpretation concerning Pine Barrens credits of the lands of Joseph Frederick Gazza concerning lands within the core of the Pine Barrens.

Just so I know where we are going; you have received Letters of Interpretation which would award you 19.46 credits?

MR. GAZZA: That is right on the money.

MR. TRIPP: You are requesting, you would like a total of 29.09, approximately 9 and-a-half more?

MR. GAZZA: That's correct, Mr. Chairman. That increase in credits would follow if the Board went along with my items 1 to 4 which I will go into right now.

Item Number 1 doesn't pertain to credit numbers, it pertains to credit cost. When I sit down and I try to determine what it's going to

1 cost me to get a credit to go
2 through the process, I reviewed the
3 booklet, I know that you were
4 originally called for a title
5 certification. You say that a
6 survey may be necessary, you talk
7 about a conservation easement which
8 is in the pamphlet, the booklet
9 that can be modified, that can be
10 reviewed, that must be recorded
11 against the title to the property.
12 That this document, a certified
13 copy of this document must be made
14 available for the Commission, and
15 an update on the title just as with
16 a regular closing. All the
17 documentation has to be in order in
18 order to eventually get that
19 certificate from the Commission and
20 whoever is going to sign it.
21 I am not sure yet stating
22 that I have this certain amount of
23 credits with each parcel. Each
24 parcel is a separate application.
25

Now I have tried to figure out how much the total --

MR. TRIPP: Let me just interrupt you for a moment.

We have made a recommendation to the Commission on this very subject. It was discussed at the last Commission meeting. Commission members had a few comments and the Commission is going to my understanding, is adopt a policy with respect to whether title reports will be required or assurance and under what circumstances, when we would pay for it. We could give you a copy of that, but I think that discussion which isn't immediately germane to the immediate question here today, we could discuss more efficiently if you had a copy of that policy.

MR. GAZZA: Okay. To conclude on that point, it comes out a

1 little over $1,500.00 in my opinion
2 to obtain each credit. Or not a
3 full credit, but each letter
4 stating that you have so much of a
5 credit per parcel. $1,500.00 rule
6 of thumb if you have to go through
7 the process.
8 And that does allocate a
9 $1,000.00 fee for an attorney to
10 handle the matter to appear before
11 the various meetings, to review the
12 title certification, to review the
13 easement to be placed on the
14 property, to handle the recording.
15 I don't know of many attorneys that
16 would undertake a client for less
17 than $1,000.00 in any matter. So,
18 I think that is a reasonable
19 assumption.
20 So, moving onto point two,
21 the single and separate status of
22 lots. The Committee put together a
23 formula as I can relate to the Town
24 of Southampton, where my property
25

is located, that if you have 5.55 acres, you get one right. I know you use a decimal point but it comes out 5.555. And I feel that that is an arbitrary way of looking at this because there is different types of property and you just can't put a blanket number on it, you have to look at property individually.

And, you have to look at a parcel that may be a single and separate parcel, that may have rights, different than 100 acre track. And the formula -- this blanket formula doesn't sit right when you look at the 100 acre track and the 5 acre track or the half-acre lot. It just doesn't sit right.

If you are going to recognize that a parcel has some legal rights if it's under size, and I don't know whether you will or you won't,

but if you are going to you are going to have to establish first a date, a date of when single and separate is going to count.

And talking back and forth, I heard other applicants, you just can't pick dates out of the air or Southampton's date or Brookhaven's date. You've got to get a date and then people can work from that date and say if my land was a single and separate lot from this day forward, maybe I have certain rights. And if it wasn't, I don't have certain rights.

MR. GRECCO: Mr. Gazza, isn't it true that each town has different areas and each area has different dates?

MR. GAZZA: That's correct. And they have many complaining in their zoning and different parcels have to go back to different dates. And if you are going to have to

review three towns and thirteen dates, it's going to become a nightmare, you are not going to know.

MR. GRECCO: But you are looking to establish single and separate; right?

MR. GAZZA: As to who though, that is my question.

MR. GRECCO: You are looking to establish single and separate?

MR. GAZZA: My lots are single and separate.

MR. GRECCO: You are looking to convince us of this?

MR. GAZZA: Correct.

MR. GRECCO: Wouldn't it then be incumbent upon you to tell us what date is the controlling date for single and separate as to what date the Town for this area up-zoned it, wouldn't it be?

MR. GAZZA: If I was applying for a variance.

MR. GRECCO: You are an attorney; is that right?

MR. GAZZA: That's correct. If I was applying for a variance to the Board of Appeals, a Certification of Title for the exact dates of nine parcels would be provided.

MR. GRECCO: Whose burden will that be?

MR. GAZZA: The applicant's burden.

MR. GRECCO: Why would it not be your burden before this Board?

MR. GAZZA: That would be the absolute minimum it goes up from there for a title determination only. As an attorney, I can certify titles and I am prepared to because I know that my parcels are single and separate and I can take my parcels prior to 1957 when there was no zoning in the Town of Southampton to satisfy everyone's

concern, Health Department included.

But my question to you is, possibly your authority doesn't go back to '57 in Southampton, or '62 in Brookhaven, maybe your authority is somewhat different.

MR. GRECCO: Wouldn't it seem to be that you would come to us, tell us this is the date because of whatever reason? Just like you would go before this Town Board and sit, you know.

You were an attorney when you picked up these parcels; right?

MR. GAZZA: That's correct.

MR. GRECCO: At that point you had convinced yourself they were single and separate not just on the word of a prior owner?

MR. GAZZA: No, I did my own examination or had a title company.

MR. GRECCO: Why couldn't you then come back to us with your

position as to what date is controlling and all your documentation which you have?

MR. GAZZA: Okay. Would you like a certification on the twenty parcels that they go back to 1957 for single and separate; would that satisfy your concerns on the issue of single and separate ownership?

MR. GRECCO: I am not certain that I would take, with all do respect, a certification from an attorney/owner.

MR. GAZZA: I have been through this before.

MR. GRECCO: Joe, with all do respect, you are wearing two hats.

MR. GAZZA: The law states that attorneys can certify titles, I can certify my title.

MR. GRECCO: That is correct.

MR. GAZZA: I have insurance. I carry liability on my shoulders like Mr. Chairman does,

and many other attorneys do. So, that is a decision that should come from maybe the whole Commission.

MR. GRECCO: Because of the unusual circumstances, you being the owner and the attorney, I think I would defer that question to the Board. But when you bought it, someone gave you a single and separate search?

MR. GAZZA: Title search, I didn't do single and separate on all twenty, some I did myself. You know, I analyze properties myself, I don't retain a title company for every purchase. I buy a lot of land.

MR. GRECCO: But you want a certificate from us that has to be based on certain amounts of evidence for an administrative board and the burden is with you, okay.

MR. GAZZA: Now we have this

on the table, what year would you would you like to go back to; would you like to go back to the beginning of the zoning from Southampton?

MR. GRECCO: I would like to hear from Mr. Milazzo on that one.

MR. MILAZZO: I would have to see how the Town of Southampton decides what single and separate is.

MR. GAZZA: Mr. Duffy, as a representative, we haven't had zoning before '57?

MR. DUFFY: That's correct.

MR. GRECCO: There was no zoning in Southampton before 1957.

MR. DUFFY: If that was the date that the first zoning code was adopted.

MR. GRECCO: Single and separate back to 1957 they would have a right to build notwithstanding the up-zoning; is

that correct?

MR. DUFFY: That's correct.

MR. GRECCO: It might be later in certain areas?

MR. DUFFY: In some cases it would be, correct.

MR. GRECCO: So, it would be no further back to 1957.

MR. DUFFY: That is the starting date for zoning in the Town.

MR. MILAZZO: Does the Town attorney have to pass for single and separate?

MR. DUFFY: In some cases they do.

MR. MILAZZO: So, there is no Town attorney involvement?

MR. DUFFY: You have, yes.

MR. GRECCO: So we established a date.

MR. GAZZA: We put the earliest date, it could make it easier for me. Let's take '57, I

like that date.

Next question, we established single and separate on a 20 by 100 lot. Is that a sufficient size lot to grant a development right based on single and separate ownership?

MR. TRIPP: Not necessarily.

MR. GAZZA: I agree.

MR. GRECCO: Okay.

MR. MILAZZO: If I can interrupt for a second. I think today's is an appeal and what we want to do is give you a chance to present your case, get your record developed. And I don't know if you want to have a free-forming dialog between the applicant, that is up to you. I just want to point that out. The goal is to have a hearing and have the applicant present his case.

MR. GRECCO: Do you have any other evidence regarding those lots which you say should be single and

separate?

MR. GAZZA: I have three 20 by 100 lots in item number 280-02-052, 053 and 055.

MR. PALLY: Wait a minute.

MR. GAZZA: Page 2, Section 0900, 280 block 2, they are in numerical order, 280-2 to 52, 53 and 55 are 20 by 100 lots.

Now, I do not believe that those lots could ever be developed in the area that they are in, it would never pass Health Department.

MR. PALLY: So, you are not appealing those three?

MR. GAZZA: No, I have them down as a tenth. I am not appealing those.

MR. PALLY: Okay.

MR. GAZZA: I want to be fair, I am not asking for a full right on a 20 by 100.

MR. GRECCO: Which ones are you appealing on a single and

separate?

MR. GAZZA: If you look at the list almost all the others. I recognize the 20 by 100.

MR. PALLY: The second one, forget the numbers, the second one on the list, you are appealing on a single and separate?

MR. GAZZA: That's correct.

MR. PALLY: The third one, the fourth one, the fifth one.

MR. GAZZA: Correct.

MR. PALLY: The sixth one.

MR. GAZZA: The sixth one is 17.03 acres.

MR. PALLY: Forget that.

MR. PALLY: How about the 6.5 acres?

MR. GAZZA: That is another question. The next one I am appealing.

MR. PALLY: On single and separate?

MR. GAZZA: Lot 51, yes.

MR. PALLY: The rest of them are all --

MR. GAZZA: Lot 61 I am appealing on single and separate.

MR. GRECCO: Six of them, Mr. Gazza?

MR. GAZZA: That's correct.

MR. PALLY: On single and separate issue?

MR. GAZZA: Well, there is multiple issues.

MR. PALLY: I understand that.

MR. GAZZA: Single and separate.

MR. MILAZZO: So, the first page should be changed from nine to six.

MR. TRIPP: Yes, the answer is yes.

MR. GRECCO: What evidence are you presenting to this Board in connection with your application that these are, in fact, single and

separate?

MR. GAZZA: Do you want to take a sworn statement from me as an attorney and able to certify titles in the State of New York, or would you like something in writing from me in the form of an abstract of title?

MR. GRECCO: An abstract of title would be sufficient.

MR. TRIPP: I think if we were going to do something and we assumed single and separate we are also going to need a determination from the Town of Southampton.

MR. GAZZA: From the Town attorney, he would be reviewing any abstract.

MR. PALLY: Right, if that is the appropriate official for the Town of Southampton, right.

MR. GRECCO: Obviously, we need it as of a certain date.

MR. GAZZA: Abstract of title

back to '57.

MR. GRECCO: Reviewed by someone in the Town.

MR. GAZZA: Maybe Mr. Duffy, since he is related to this Board and he is right here, he might be the appropriate person to direct it to.

MR. DUFFY: We will review it with the Town attorney, Joe.

MR. GRECCO: On six of those parcels.

MR. GAZZA: I wrote down nine, I am sure, for example, parcel number 286-02-010 is a single and separate lot.

MR. GRECCO: Why don't we go to the third point.

MR. GAZZA: We covered single and separate. If we could back up on single and separate, I am conceding that a 20 by 100 lot does not warrant a development right because it would not pass Health.

But if I could put a well and a sanitary system with a hundred foot separation, would you concede that that is a buildable lot from an environmental point of view?

MR. TRIPP: Well, another question, we are leaving single and separate for the time being.

MR. GAZZA: No, it's all related. See, we have a parcel, I can get my separation for Health Department, I get my hundred feet.

MR. TRIPP: Dennis Moran, have you seen this?

MR. MORAN: I haven't seen the document.

MR. TRIPP: Can you look at Exhibit 2, and you may want some time but the question is: How does Article 6 pertain to these lots?

MR. MORAN: If these lots are single and separate then they are exempt from Article 6 with the exception if they are a common

scheme in a similar area and there is five or more lots being developed at one time on a single application. Assuming if they were to be single and separate the Department would review these in conformance with construction standards.

Well, basically, what the Department would look at is the size of the lot to see if they could comply with separation, this is a problem with surface waters, wetlands. And then separation is going to be, I am assuming it would be an area that has no public water, therefore, your separation distance is between your well and sanitary system it might be a minimum of one hundred feet. So, basically, what you would be looking at is lots that probably would require at least probably 10,000 square feet to be sure to

assure that you could put a well and an on-site sanitary system.

MR. TRIPP: Let me just ask a question. Given the fact that Mr. Gazza is the owner of all these lots, under what circumstances would you look at them as a common scheme?

MR. MORAN: We would look at them as a common scheme if an application is made one time more than five or more lots, or if they were less than five lots the Department may look at the records for the titles for adjacent lots.

If it's determined that the adjacent lots are owned by the same individuals, then they will fall under the requirements of Article 6 which would mean that he would have to prepare a plan, and in Zone 3 what you would be allowed is one dwelling unit per 40,000 square feet.

MR. GAZZA: Just to clarify that point, if you look at the tax map numbers, my parcels are scattered; Westhampton, Riverhead, Eastport. They are not on one map, they are within the 23,000 acres and they are scattered. There is no more than four or five that are contiguous; four, I think.

MR. PALLY: So, that exception issue may not be related because of the location issue.

MR. GAZZA: The location issue would negate this more than five year issue.

MR. TRIPP: When you say four or five are reasonably close together?

MR. GAZZA: They are on contiguous, they are all on the tax map. We are four contiguous parcels on the same file map; 2.1 acres, 2.1.

MR. TRIPP: Would you

identify yourself.

MR. DITTMER: My name is Henry R. Dittmer, D-i-t-t-m-e-r. I just want to state that I am the owner of a house in Ocean Beach, Fire Island that is on a 25 by 80 feet lot. This is by Court order, it was an Appellate Court case, it was five to nothing. So that there is a history that you can build on 25 by 100. I don't know about 20 by 100, but 25 by 100 you can because I got it through Court order.

Also, I would like to point out that on Fire Island they build with Artesian wells. Now, wells go down sometimes three, four, five hundred feet, so that they measure the depth instead of the horizontal line. So that if you go down three hundred feet you are more than three hundred feet from your -- you are three hundred feet from your

cesspool. So that the measurement can be done vertically instead of horizontally with an Artesian well and I have done so.

So, build on small lots and you can put in Artesian wells because I have done it. Possibly 20 by 100 might not be a lot because 25 by 100 is, because I have done so.

MR. TRIPP: Just so I get back so I understand it, the parcels on the common map, that includes the first four.

MR. GAZZA: The first four and also if we drop down to section 0900-285-02, about two thirds of the way down, I have four parcels that are also contiguous, different names but they are contiguous parcels, they are in different family names.

Block two, 29.2, 30.2, 31.2 and 32.2. They are contiguous,

checkerboarded, prior zoning single and separate parcels.

MR. GRECCO: We gave you one for each.

MR. GAZZA: I am not arguing those.

MR. GRECCO: Right, those are okay.

MR. TRIPP: Should we go to the next issue or have we exhausted single and separate at the time?

MR. GRECCO: You know what you have to do.

MR. GAZZA: I am going to provide the abstract, John. If I am going to provide it on all of the parcels or not, if there is a feeling that I am wasting my time on 20 by 100 lots I will prepare it on a lot as Mr. Moran said on 10,000 feet or larger, if the Board feels that is appropriate.

MR. GRECCO: It would seem that the six that we discussed

before which are greater than the 20 by 100, you indicate are single and separate ones, maybe you should concentrate on.

MR. GAZZA: So, I won't do the abstracts on 20 by 100.

MR. GRECCO: It doesn't appear --

MR. GAZZA: I am conceding that.

MR. TRIPP: Don't waist your time.

MR. GRECCO: Let's concede.

MR. GAZZA: Point number three; yield factor, zoning. The most restrictive zoning in Southampton Town is known as the CR-200. The 200 stands for 200,000 square feet of lot area.

Now, if you have an acreage parcel such as, we will turn to my list, the sixth parcel down, we have a 17 acre parcel. This parcel fronts on two roads. I would say

that the parcel could be subdivided without building roads, it has two road frontages already. Why apply the 5.555 acre formula to one right when I could squeeze two 100,000 square foot lots out of this and be in compliance.

MR. GRECCO: Can I have Mr. Milazzo's comment on that.

MR. MILAZZO: The comment which I said before, the question we have is when you divide those larger tracks would you have to put in roads and, and I guess it goes to would the Town allow you to provide a 35 acre parcel without providing some recharge basin or some internal road networks.

MR. PALLY: We are on the 17 acre parcel.

MR. MILAZZO: 17 acre parcel, same argument for the 35 acre parcel. What his claim is, if it adjoins a dead-end street you won't

have to put any roads in and we would just question whether the Town would allow that.

MR. DUFFY: I can't answer that this afternoon, that will be subject to the Planning Board.

MR. MILAZZO: That is something the Town may require.

MR. GAZZA: The Town of Southampton, I had a nice square piece with plenty of road frontage. They said we don't want that, we don't want any lots off the road, we want an internal road system.

But in the same token, the Town says please prepare a yield map to determine the number of lots. And my surveyor, who doesn't look at the internal road system, simply looks at the road frontage, cuts it up into two 100,000 square foot lots to the square foot and he comes up with quite a few extra

lots. My point for your Commission is if I have land that fronts on two roads, why not give me the two 100,000 square foot equals a lot, unless you are going to start doing fancy planning like the Town.

MR. GRECCO: That is not our concern. What evidence do you have that you could build on those existing roads? Already you told us that they tell you you have to use interior roads, doesn't really give you a greater yield.

MR. MILAZZO: Are all the roads improved?

MR. GAZZA: Sunrise Highway is improved, the service road is not. Middle Line Highway is dirt, Middle Country Road is improved.

MR. GRECCO: Aren't some of them limited access roads, too?

MR. GAZZA: The service road is not there but it is a legal road. I don't know if you want to

do planning and design, you want to create developments and take over the job of Southampton Planning Board.

MR. DUFFY: I don't think the Board wants to do that.

MR. GRECCO: That is not our function.

MR. GAZZA: Let's look at the lot, if I can provide a diagram that I can meet the front footage requirement on a road, Southampton allows 40 feet frontage for lots, 20 feet for flag loss.

MR. TRIPP: I think that initial determination is going to be a matter for the Town.

MR. GAZZA: Mr. Chairman, if I have to go before the Town to find out how many lots --

MR. TRIPP: We may do this insofar as we are retaining the authority to do this but there are a variety of conditions that might

have to be met.

If we decided, for example, you might be entitled to some additional credits, on the condition that the Town of Southampton is saying that you could, in fact, build 3.7 units in 17 parcels, you will go to the Town knowing that you have been approved that and the Town supported you, you might get the additional credits that you were seeking. But, we are not going to give them to you. If you can't do that then you are going to 3.07.

MR. GAZZA: If you don't have enough for four lots.

MR. TRIPP: You already got 3.07, Joe, if you want us to go down to 3?

MR. GAZZA: No, I am looking for a formula.

MR. PALLY: Let me see if I understood what the two of you just

talked about in that regard. So your point on that parcel taking in the 17.3 acre parcel is that no matter what you do you can't get four lots?

MR. GAZZA: Unless I get a variance.

MR. PALLY: Assuming you don't get a variance you can't get four lots?

MR. GAZZA: Not under current zoning.

MR. PALLY: So, therefore, the most you could get is three lots?

MR. GAZZA: That is correct.

MR. DUFFY: Conceivably.

MR. PALLY: Right, the most. So, therefore, the difference therefore is us give you 3.07 credits for three lots conceivably, or 3.78 credits for three lots conceivably because no matter what you do without a variance you can't

get the four.

MR. GAZZA: I can't get the four with current zoning.

MR. PALLY: Okay.

MR. GAZZA: I could cut off two acres and attach it to a neighboring property, I have got two acres left over.

MR. PALLY: But that you can do, that is not our issue. You can do that whether there is us or not, that is a decision you have to make in your own hand.

MR. GAZZA: But, if I am going -- only going to get three credits, why sever two acres off my 17 acres today so I can only throw 15 acres into preservation and I will save two acres? This is the provision that is giving the decimal point down to the hundredth, not Joe Gazza.

You are talking about hundredths, I am using your method

and I got 3.78. I am trying to develop some type of a formula that we can look at on both sides of the table.

MR. TRIPP: We have a formula.

MR. GAZZA: Yes, 5.555.

MR. TRIPP: The formula assumes that there is some reduction in the usable amount of square footage based on the infrastructure. Okay.

MR. GAZZA: We talked about the 17 acre, the described parcel. Using the same yield factor let's talk about the -- let's see parcel number Section 280, block 02, lot 051, eighth one down on my list, .28. This parcel appears on a file subdivision map. The streets are paper streets but they are designed for access to all the lots. This subdivision map even has a park, I know this, in the 1910

filing of this map they did a hill layout for this park area, subdivision streets and all the amenities to sell these lots. There is no infrastructure needed other than improvements to the road, but the land is there for the road.

Summit Boulevard is 60 feet wide. That is certainly wide enough for any highway. How are we going to look at that? Are we going to look at it and say it has .1 or one tenth of a development right?

See, other factors come in, you have the single and separate issue, we have a yield factor, we have a multitude of things coming in, not just one, so they cross.

MR. GRECCO: I thought you were going to utilize the single and separate theory on that one?

MR. GAZZA: Maybe you won't

like the single and separate theory on that one. You are saying do it and we will look at it, you are giving me homework to do.

MR. GRECCO: Right, it is your burden.

MR. GAZZA: I am going to do the homework but I expect to get a grade if I get my homework right, and I expect the grade to be a hundred percent.

MR. GRECCO: You don't get a grade before you turn a paper in. Come on.

MR. GAZZA: It's coming. We are narrowing down what the paper is going to entail and then I am going to do it for you. So when we meet the next time we will have a chance to review the paper towards getting a grade.

MR. PALLY: Okay.

MR. GAZZA: Back to yield. There is a difference between

described property and map property. You are not looking at it. The formula which you apply, the 5.555, you apply that to the 5.28 acre parcel, you are getting different computations in your decimal percentages.

Number four, this is a difficult one and it's not going to apply to probably anyone else in the Town of Southampton. It's the peculiar situation where I transferred development rights before there was a Pine Barrens Commission with the Town.

The Town has been doing this for a period of years. And the transfer was made, the land was donated to the Town after the transfer was made, the fee title, and I possessed these Transfer of Development rights, TDR's. You call them PBC's, the Town called them TDR's, I possess these. Right

now they are sitting on one of my pieces of property.

MR. GRECCO: One of these in the core?

MR. GAZZA: They are sitting on parcels 1, 2, 3 and 4 on the list.

MR. GRECCO: I see.

MR. GAZZA: Now I have about -- the Town does it in square footage, their TDR. And, I believe, that there is about 700,000, I am guessing about 700,000 square feet of land that I TDR'd.

MS. PLUNKETT: 678,000 to be exact.

MR. GAZZA: Thank you. 678,000 square feet of land I have TDR'd before there was this Commission.

MR. GRECCO: So you basically, sanitized or gave to the Town of Southampton some other

property and what was it that you transferred to these first four parcels, what rights did you transfer?

MR. GAZZA: The full development rights.

MR. GRECCO: Meaning what?

MR. GAZZA: Meaning all forms of development for single family dwelling.

MR. GRECCO: On the parcels that you gave to the Town, you moved whatever rights you have there and added them to this?

MR. GAZZA: Yes.

MR. DUFFY: Is it fair to say you transferred your residential development rights from those properties?

MR. GAZZA: That's correct, the residential development rights. Those are residential zoned lands. Would you like to give me a residential summary of the

Southampton process?

MR. GRECCO: We will talk about the burden of proof, Counselor Joe.

MR. TRIPP: My understanding, at least your position is prior to the adoption of this Plan you would have been able on each of these first four parcels to construct two dwellings?

MR. GAZZA: One dwelling unit on each parcel.

MR. TRIPP: One dwelling unit on each parcel.

MR. GAZZA: And I had extra rights in addition to the one unit.

MR. TRIPP: What could you have done with the right?

MR. GAZZA: Moved them to another parcel and build more homes.

MR. DUFFY: Just let me just ask you a question. The resolution that the Planning Board passed

in '92 I believe it allowed you to transfer those rights and I will call it landbank those rights on those parcels; is that correct? The Planning Board did not give you the right to build or construct on those parcels at that point in time?

MR. GAZZA: That's correct. The Commission may remember that is the application I made on the hardship provision that I had four lots that I reviewed since 1989 I started with the Planning Board. I went through all the process, I abandoned streets, I have had nine lots originally, I had seven or nine.

MS. PLUNKETT: Nine.

MR. GAZZA: I narrowed it down to four and it includes a development map plan which was part of the record of the Planning Board.

MR. DUFFY: I just want to make one thing clear. The Planning Board, at no time, began the process to formally approve or consider the subject map on these properties.

MR. GRECCO: The ones you transferred to.

MR. DUFFY: That's correct.

MR. GRECCO: Are these TDR's able to be transferred again off of these properties?

MR. DUFFY: That's correct.

MR. GRECCO: So, that is not something that runs with the land.

MR. GAZZA: They are attached to the land. The Town of Southampton --

MR. GRECCO: At the moment.

MS. PLUNKETT: Right.

MR. GRECCO: In other words, do you have the ability to move these TDR's from these parcels to somewhere else?

MR. GAZZA: I would have to go back to Planning Board.

MR. DUFFY: Mr. Gazza, does that right under the old TDR program for the Town, that is how the Planning Board was adopted.

MR. GRECCO: So those TDR's do not attach to the land, it is really a covenanted by Mr. Gazza.

MR. GAZZA: No.

MR. DUFFY: They are assigned to those specific parcels but the resolution specifically did not give Mr. Gazza the right to develop those rights on that specific piece of property. It would be subject to further consideration by the Planning Board.

MS. ROTH: They were severed from the sending parcel and the sending parcel was then conveyed and the rights are being held so to speak, but they cannot be utilized by the subject parcel.

MR. DUFFY: They are essentially landbanked.

MR. GRECCO: Can they be moved?

MR. TRIPP: Yes. And you own land within the Town which you can conceivably move all these Town rights?

MR. GAZZA: No, no longer. Because the only parcel that I have that is capable of being developed in the school district with the program that is in place is the parcel down on Old Country Road. On this parcel I already have, I think this is the one I have an excess of a million square feet of rights sitting on this that I have transferred with the Town of Southampton over the years.

MS. ROTH: Mr. Gazza, are those rights assignable, or can they be utilized only by you?

MR. GAZZA: I don't know.

MS. ROTH: Mr. Duffy, do you know?

MR. DUFFY: That is the a question you should ask the Town attorney, but I believe they could be assignable. We never had the chance to explore that. I don't believe Mr. Gazza had approached the Town Planning Board to discuss that possibility.

MR. GAZZA: Just to summarize, I had a lot of land and I couldn't use my land and the tax burden became overburdening, and I went to the Town and I said Town, you have the Environmental Impact Study since 1985 that is strangling me. I can't use any of my lands, I can't go through the process, I can't get an exception, I can't do this, that, yet I have to pay those taxes. You are telling me I am never going to be able to use these lands because they are in

environmentally sensitive areas. What am I going to do?

They are saying we are going to use them as development rights just as this Board is going to look at it now. So I took all of my land that were off in the road, back in areas that were of less value and I lifted the rights and I put them on parcels that the Planning Board felt were appropriate receiving sites at the time.

And then I took the title and I deeded it either to Nature Conservancy or the Town of Southampton, they each divided up. I had certain ideas about what areas they want, I gave up my title to all of these lands.

Now I have these rights, they are sitting. A million square feet are sitting on this parcel and 678,000 square feet are sitting on this parcel.

MR. GRECCO: Do you have these rights or does the land have these rights?

MR. GAZZA: They are attached to the land.

MR. GRECCO: I'd like to see them.

MR. MILAZZO: I have the resolution.

MR. GRECCO: The land has these rights, so it would be your position that because of the unique character of these parcels you would think you would be entitled to more credits.

MR. GAZZA: Well, are you going to recognize the Towns' credits, that's the question.

MR. GRECCO: I am asking you, what is your theory? You are going on the theory of uniqueness.

MR. GAZZA: That is a zoning term, this is different. This is a Town action where I centralized and

gave up fee title to 1,600,000 square feet of my land and I have some pieces of paper signed by the Planning Board Chairman that tells me this is what I got for all my land. And if this Commission is not going to recognize this piece of paper, I am in a bad position.

MR. TRIPP: Let me give you at least my perspective. We really haven't talked about this, but my perspective is the Town has a program or did have a program.

MR. DUFFY: And the program still exists.

MR. TRIPP: And the program still exists under the Town program for Town rights which I do not equate on a one-on-one basis handed on that parcel.

So, the first question in my mind is whether the Town Planning Board can accommodate, can enter into some kind of arrangement to

use those rights in some other parcel under the Town program, yes or no.

I don't know the answer to that and I am prepared to assume that the Town Planning Board is not going to jerk you around. If, in fact, those Town rights can't be, there is no practical way for you to use them through the Town but if there is no practical way for you to use them in the Town in some reasonable period of time, then my view is that we will, we may not honor them on a one-to-one basis, but my own view is you are entitled to some additional credits. That is my view.

But, I will want you, at the very least, to go back and sit down as soon as possible with the Town Planning Board and figure out if the Town is prepared to do anything, yes or no. By that, I

mean, a very specific plan where you really know that you can use these rights.

MR. GAZZA: The answer is you have to have a piece of land to use them on. I have two or three such pieces and they are all loaded with rights already.

MR. TRIPP: We heard all kinds of things already from Mr. Duffy, maybe they could be used on some other parcel somewhere else. All I am saying from my point of view, before we are going to say that okay, we will give you extra credits for these Town rights, I would want a, sort of a clear statement from the Town Planning Board, yes, we can and we have made some other arrangement with these rights under the Town program. Or, no, we haven't and we are not about to or we are not going to be able to do it at any time soon.

MR. GAZZA: From the Planning Board.

MR. DUFFY: From the Planning Board.

MR. GAZZA: So, I will direct a letter to the Planning Board.

MR. TRIPP: I think more than a letter, I urge you to sit down with them and see what happened so it doesn't take you a long amount of time.

MR. GAZZA: I have the rights.

MR. TRIPP: I understand that. The first priority, so to speak, is you know the Town program and if the Town program is no longer working, can't accommodate them the way it is supposed to, then we will have to do something.

So, I will like some evidence from both, you know, the Planning Board and from you as to whether or not the Town can accommodate them

in their own program.

MR. DUFFY: I suggest we do this, Joe. I assume this hearing is going to be left open within 60 days. Within that period of time we will sit down with the Planning Board in a work session and revisit that past resolution from '92 and make a determination if that program is still workable, which I believe it is, and how we might accommodate those old file map TDR's and we will do that, Mr. Chairman, within that peer.

MR. TRIPP: And I would say if the Town Planning Board comes back to us or the Commission and says we prefer you to handle these as Pine Barren Credits, then we will act accordingly.

MR. GAZZA: Okay.

MR. TRIPP: Your request here, just so I am understanding this, is for a total of 29.09

1 credits. If we awarded you, will
2 you feel satisfied that the four
3 rights have been taken care of?
4 MR. GAZZA: No. The 29.09
5 plus the TDR's.
6 MR. GRECCO: What numbers in
7 addition to the 29.09 are you
8 looking for in addition to the four
9 TDR's?
10 MR. GAZZA: I am looking for
11 whatever rights that property
12 suggests.
13 MR. MILAZZO: If I could
14 interrupt you. There are two
15 options that the Clearinghouse may
16 want to consider. The first would
17 be to look at the 33 parcels and
18 figure out what each parcel would
19 have received.
20 MR. TRIPP: I don't think we
21 are going to do that.
22 MR. MILAZZO: The second one
23 would be multiply 678 and divide it
24 by 43.6, and divide the acres
25

because it was all CR-200 and it comes out to be 2.8 Pine Barrens Credits under that method. It's roughly 15 acres of land; 678 once you divide by 43 equals 15.56 acres.

MR. GAZZA: 33 parcels.

MR. DUFFY: CR-200.

MR. MILAZZO: That's correct.

MR. DUFFY: Five acre zoning.

MR. MILAZZO: That's correct.

MR. GAZZA: So, I will apply single and separate on those that exceed 30,000 square feet.

MR. MILAZZO: Do you own those parcels?

MR. GAZZA: No, but I will provide single and separate at the time that I transferred them, so I can get more than 2.8 credits, maybe I am entitled to 6 or 8 credits, 10 credits.

MR. TRIPP: My own view is I just don't think this body is going

to do that, we are not going to look back at the 33 parcels.

MR. GAZZA: You are not?

MR. TRIPP: No. The question is you have something that landed on this parcel which is 678,140 square feet. The question is: What are we going to do with them? That is the question.

MR. GAZZA: Okay.

MR. TRIPP: At least from my part -- I am not going to ask everyone here.

MR. GAZZA: I am going to close. Just on the last paragraph in my letter.

I have one parcel that is in the light industrial zone, there has been no determination on credits for that parcel.

MR. TRIPP: That is a correct statement.

MR. GAZZA: Can you make a statement to me about the light

industrial zoned parcels, if there is a plan, can you enlighten me on that?

MR. TRIPP: We are in the process. When I say "we," I mean the Commission and/or the Clearinghouse, you know, with the Town for that matter, have initiated a SCWA process we will look at what the allocation formula would be for that zone. And what kind of environmental impacts will flow from a that.

Those environmental impacts were not assessed in the initial planning process because whatever reason the allocation formula was not developed and it is our intent to complete the process expeditiously.

So, today, we are not in a position to tell you, you know, what the allocation would be, from which you did not appeal, what the

initial allocation would be. But, at least it will be my hope that that process would be completed within four to five months from today.

MR. GAZZA: Okay. Thank you.

MR. MILAZZO: Could I ask one question. Are we looking for an extension on his time line for a decision if he has to report back with some additional information? Decision deadline is May 20th. It sounds like you asked him to provide some additional information. I don't know how fast you can turn that around.

MR. GAZZA: We have to go to Planning Board.

MR. DUFFY: Which might be able to finish in that time frame. Mr. Gazza has a right to ask for an extension.

MR. TRIPP: Right, I think the purpose of a date sort of

imposes a time constraint on everyone. So, I would hope Planning Board and you would be able to.

MR. GAZZA: I meet with the Planning Board every Thursday, two o'clock.

MR. MILAZZO: The only reason I bring it up, and I will also direct Mr. Hoffstaetter, are you planning on meeting before May 20th, because that is his deadline. And Mr. Hoffstaetter, your client's deadline is May 10.

So, is the Clearinghouse planning on having a meeting before then? If not, we probably need an extension or you will have to make a decision. I think we talked about moving it to have a joint meeting in May on the 15th, with the Nichols report.

MR. TRIPP: Off the record.

(Whereupon, an off-the-record

1 discussion was held.)
2 MR. TRIPP: Mr. Gazza, do you
3 have anything further?
4 MR. GAZZA: There is one
5 parcel that we have to come back
6 to, that six and-a-half acre
7 parcel, seventh one down on the
8 list. The PBC's allocated was 1.18
9 and requested was 2.
10 The unusual circumstances
11 pertaining to this one is, that
12 when I acquired the parcel, it
13 shows on this tax map, the
14 Cloverleaf parcel at Exit 63 in
15 Westhampton on Sunrise Highway, it
16 was two parcels and I merged them
17 in anticipation of developing this
18 property which now I cannot because
19 it is in the core area.
20 Now I had two separate
21 parcels, one was 3.3 acres and the
22 other one was 3.2 acres. They were
23 separate lots and I put them
24 together because I was going to use
25

the property and I had a plan and now that's all down the river.

MR. PALLY: Okay.

MR. GAZZA: What do I possess, I had two lots fronted on improved road.

MR. TRIPP: Without this plan it's your view you would have been able as a right to develop those parcels?

MR. GAZZA: I don't know. I had plans for development which would have involved a lot of planning and zoning and a lot of work, but it was two parcels.

MR. GRECCO: And you merged them voluntarily.

MR. GAZZA: I had plans for using them, now I can't use it at all except for rights.

MR. TRIPP: Okay.

MR. GRECCO: Okay.

MR. HANLEY: Just a statement. Mr. Gazza might have

dealt with a bank that I work for namely the Suffolk County National Bank and I am an executive officer of that bank, and for the record, I will just like to say that I have not had the pleasure of having any dealings with Mr. Gazza.

And two, in particular, I have had no dealings on these parcels with Mr. Gazza.

MR. TRIPP: From your point of view this isn't any reason for Mr. Hanley to recuse himself?

MR. GAZZA: No.

MR. DITTMER: I would like to comment. My name is Henry H. Dittmer of CPRS, the Civil Property Rights Incorporated.

Mr. Gazza, your parcel down at the bottom, is that a 40 by 100 parcel?

MR. PALLY: Fourth from the bottom.

MR. GAZZA: That is a 40 by

100 parcel, that's correct.

MR. DITTMER: Are you asking for a full Pine Barrens Credit for that parcel?

MR. GAZZA: That is a light industrial parcel.

MR. TRIPP: We are not dealing with that now.

MR. DITTMER: I see.

MR. TRIPP: Any other comments?

(Notice of Public Hearing, was marked as Exhibit 1 for identification, as of this date.)

(A two-page letter, dated April 23, 1996, from Joseph Gazza, was marked as Exhibit 2 for identification, as of this date.)

MR. TRIPP: The record will remain open until May 15th.

(Time noted: 5:50 p.m.)

I N D E X

E X H I B I T S

EXHIBIT	DESCRIPTION	DEEMED	MARKED
1	Notice of Public Hearing	3,	67
2	Letter, 4/23/96, from Joseph Gazza	4,	67
3. Staff report			

* * * *

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 9th day of May, 1996.

Kristina Singrossi

KRISTINA SINGROSSI

JOSEPH FREDERICK GAZZA

ATTORNEY AT LAW
P.O. Box 969 5 Ogden Lane
Quogue, New York 11959
(516)653-5766 (Day and Evening)

EXHIBIT
2
4/23/96

April 23, 1996

Pine Barrens Clearinghouse

Re: Appeal of Credit Allocation

Dear Commission Members:

I have prepared a list (copy attached) pertaining to 20 parcels of Pine Barrens land I own that had been submitted to your Commission for PBC determination. By my letter dated 3/18/96 I appealed to you for reconsideration based upon the following principals, which I shall orally present to your commission on 4/23/96 at 3:30 PM at your Oakdale office:

1. Closing or transferring expenses Are the buyers or grantees expenses. Title, survey, document filing, etc. should not be the burden of the landowner but should be paid for by the Commission. This applies to all 20 PBC applications. You can't discriminate as to parcel size or numbers of parcels.

2. Single & Separate Lots that are zoning size or less should each possess one PBC. This applies to 9 of my lots.

3. Yield Factor should be zoning size of lot divided into total acreage for tracts of land that exceed a zoning sized lot in area. Lots that appear on filed maps or that have road access sufficient for subdivision do not need PBC reduction for development requirements. This applies to 5 of my lots.

4. TDR's granted by the Town of Southampton based on core parcels that were preserved prior to your Commission being in existence should be recognized. This applies to 4 of my lots.

Kindly advise when I may expect a determination of PBC on my LI-40 zoned parcel. I am still of the opinion that unless incentivews are given to Pine Barren's owners and the entire town becomes a receiving area, the PBC and TDR program will fail.

Respectfully submitted,

Joseph Frederick Gazza

Enclosures

cc: File

RE: LETTERS OF INTERPRETATION REGARDING PINE BARRENS CREDITS OF THE LANDS OF JOSEPH FREDERICK GAZZA SITUATE WITHIN THE CORE AREA OF THE PINE BARRENS

SCTM #	ACREAGE	ZONE	DATE OF APPLICATION	DATE OF DETERMINATION	PBC	REQUESTED PBC **
0900-212-01-017.008	2.1 + TDR	CR-200	2-7-96	4-2-96	1.	1 + TDR
0900-212-01-017.009	2 + TDR	CR-200	2-7-96	4-2-96	.36	1 + TDR
0900-212-01-017.010	2.1 + TDR	CR-200	2-7-96	4-2-96	.38	1 + TDR
0900-212-01-017.011	2.6 + TDR	CR-200	2-7-96	4-2-96	.47	1 + TDR
0900-215.002-01-028	1.33	CR-200	2-7-96	3-11-96	.24	1.
0900-238-02-004	17.03	CR-200	2-7-96	3-11-96	3.07	3.78
0900-247-01-004.001	6.5	CR-200	2-7-96	4-11-96	1.18	2
0900-280-02-051	.28	CR-200	2-7-96	3-11-96	.1	1
0900-280-02-052	.05	CR-200	2-7-96	4-2-96	.1	.1
0900-280-02-053	.05	CR-200	2-7-96	3-11-96	.1	.1
0900-280-02-055	.05	CR-200	2-7-96	3-11-96	.1	.1
0900-282-02-061	.25	CR-200	2-7-96	3-11-96	.1	1
0900-285-02-029.002	2.36	CR-200	2-7-96	4-2-96	1.	1
0900-285-02-030.002	1.89	CR-200	2-7-96	4-2-96	1.	1
0900-285-02-031.002	1.89	CR-200	2-7-96	4-2-96	1.	1
0900-285-02-032.002	1.78	CR-200	2-7-96	4-2-96	1.	1
0900-286-02-010	.09	LI-40	2-7-96			
0900-304-03-001	35.93	CR-200	2-7-96	3-11-96	6.47	7.83
0900-332-03-030 *	9.27	CR-200	2-7-96			2.02
0900-334-01-021	9.92	CR-200	2-7-96	3-11-96	1.79	2.16
	97.47				19.46	29.09

* Tax Map Correction

** Need Density Incentive & Entire Town as a Receiving Area

VARIANCE SEARCH

State of New York
SS. :
County of Suffolk

Title No.

Joseph Frederick Gazza being duly sworn, deposes and says:
That I reside at 5 Ogden Lane, Quogue, New York, and am over the age of 21 years.

That I am an Attorney at Law, licensed to practice and admitted to the Bar in the State of New York.

That I examined Title to all parcels of land which are contiguous to the subject premises in addition to a complete examination of said premises as described and set forth in the annexed schedules and labelled as follows; to wit:

"All adjoining premises to the North"
"All adjoining premises to the East"
"All adjoining premises to the South"
"All adjoining premises to the West"

That said examination, made to include 12-15-1993 discloses that the subject premises has been in single and separate ownership since 10/20/55, as appears from the chains of title annexed hereto, and that the effective date of the applicable zoning ordinance is 10/14/1957 .

That this affidavit is made to assist the Southampton Town Building Department, Planning Board, Zoning Board of Appeals, Central Pine Barrens Commission and or the Suffolk County Health Department to reach any determination which requires as a basis therefore the information set forth herein, and knowing full well that said Boards and or Departments will rely upon the truth thereof. The liability of the undersigned is limited to the fee paid for this search.

Joseph Frederick Gazza
Attorney at Law

Certified on June 1996
Sworn to before me this _____ day
of June 1996

Notary Public

BEVERLY E. STRONG
NOTARY PUBLIC, ST. OF NY
No. 01ST5046737
Qualified in Nassau Cty.
Commission Expires 7/17/97

SUBJECT PREMISES:

All that certain plot, piece of land, situate lying and being in the Town of Southampton, County of Suffolk and State of New York, known and designated as:

Lots 1-7 Incl. Block One

All as shown on the Map of Southampton Terrace and filed in the Office of the Clerk of the County of Suffolk on August 26, 1916 as Map No. 732 and also filed July 31, 1916 as Map 568.

CHAIN OF TITLE

1. Deed Liber 4006 page 120 Dated October 20, 1955 Recorded October 31, 1955	Harry Koslow to Henry Krochmal, Bertha Bunderoff, Hortense Field, Joan Warshaw, Siegfried Billig, Muriel Kamp and Fannie Billig
2. Deed Liber 7535 page 559 Dated October 31, 1973 Recorded November 12, 1973	Henry Krochmal, Bertha Bunderoff, Hortense Field, Joan Warshaw, Siegfried Billig, Muriel Kamp and Fannie Billig to Norman A. Howard
3. Deed Liber 10824 page 262 Dated March 10, 1989 Recorded March 27, 1989	Norman A. Howard to Joseph Frederick Gazza

Certificate of Abandonment #3499 filed on 12-15-1993 11:40 A.M. in the Office of Edward P. Romaine - Clerk of Suffolk County, having been accomplished eliminated the following streets:

Riverhead Avenue lying North of Green Street and South of East Moriches-Riverhead Road (CR.31); Young Street lying West of Wildwood Avenue; Thomas Street lying West of Wildwood Avenue; Green Street lying West of Riverhead Avenue.

4. Deed Liber 11656 page 238 Dated December 15, 1993 Recorded December 15, 1993 11:40 A.M.	Joseph Frederick Gazza to Irene Hope Gazza

This conveyance effectuated a re-arrangement and re-design of 9.77979 acres of 7 single and separate blocks of lots into 4 single and separate blocks of lots in accordance with a PRD concept re-development map prepared by the Southampton Town Planning Dept.

LAST DEED OF RECORD

All Adjoining Premises to the North
Moriches-Riverhead Road

All Adjoining Premises to the East
Riverhead Avenue

All Adjoining Premises to the South
Young Street

All Adjoining Premises to the West: SCTM #0900-235-01-058 (27.8 ac.)

Charles G. Smith to J. Louis Schaefer	Dated 8-3-1919 Recorded 9-7-1909 Liber 697 page 301
J. Louis Schaefer to Temuco Co.	Dated 2-10-1910 Recorded 11-21-1927 Liber 1303 page 558
Temuco Co. to Joseph P. Grace	Dated 11-26-1927 Recorded 12-2-1927 Liber 1319 page 38
Elise B. Grace (Executor of Joseph P. Grace, Dec., Nassau Cty. Probate #030111943) to Elise B. Lufkin & Sue Rich Blagden et.al.	Dated 5-14-1991 Recorded 10-3-1991 Liber 11346 page 218

LAST DEED OF RECORD

VARIANCE SEARCH

State of New York
SS. :
County of Suffolk

Title No.

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That I reside at 5 Ogden Lane, Quogue, New York, and am over the age of 21 years.

That I am an Attorney at Law, licensed to practice and admitted to the Bar in the State of New York.

That I examined Title to all parcels of land which are contiguous to the subject premises in addition to a complete examination of said premises as described and set forth in the annexed schedules and labelled as follows; to wit:

"All adjoining premises to the North"
"All adjoining premises to the East"
"All adjoining premises to the South"
"All adjoining premises to the West"

That said examination, made to include 12-15-1993 discloses that the subject premises has been in single and separate ownership since 10/20/55, as appears from the chains of title annexed hereto, and that the effective date of the applicable zoning ordinance is 10/14/1957.

That this affidavit is made to assist the Southampton Town Building Department, Planning Board, Zoning Board of Appeals, Central Pine Barrens Commission and or the Suffolk County Health Department to reach any determination which requires as a basis therefore the information set forth herein, and knowing full well that said Boards and or Departments will rely upon the truth thereof. The liability of the undersigned is limited to the fee paid for this search.

Joseph Frederick Gazza
Attorney at Law

Certified on June 1996
Sworn to before me this _____ day
of June 1996

Notary Public

BEVERLY E. STRONG
NOTARY PUBLIC, ST. OF NY
No. 01ST5046737
Qualified in Nassau Cty.
Commission Expires 7/17/97

SUBJECT PREMISES:

All that certain plot, piece of land, situate lying and being in the Town of Southampton, County of Suffolk and State of New York, known and designated as:

Lots 1-18 Incl. Block Two

All as shown on the Map of Southampton Terrace and filed in the Office of the Clerk of the County of Suffolk on August 26, 1916 as Map No. 732 and also filed July 31, 1916 as Map 568.

CHAIN OF TITLE

1. Deed Liber 4006 page 120 Dated October 20, 1955 Recorded October 31, 1955	Harry Koslow to Henry Krochmal, Bertha Bunderoff, Hortense Field, Joan Warshaw, Siegfried Billig, Muriel Kamp and Fannie Billig
2. Deed Liber 7535 page 559 Dated October 31, 1973 Recorded November 12, 1973	Henry Krochmal, Bertha Bunderoff, Hortense Field, Joan Warshaw, Siegfried Billig, Muriel Kamp and Fannie Billig to Norman A. Howard
3. Deed Liber 10824 page 262 Dated March 10, 1989 Recorded March 27, 1989	Norman A. Howard to Joseph Frederick Gazza

Certificate of Abandonment #3499 filed on 12-15-1993 11:40 A.M. in the Office of Edward P. Romaine - Clerk of Suffolk County, having been accomplished eliminated the following streets:

Riverhead Avenue lying North of Green Street and South of East Moriches-Riverhead Road (CR.31); Young Street lying West of Wildwood Avenue; Thomas Street lying West of Wildwood Avenue; Green Street lying West of Riverhead Avenue.

4. Deed Liber 11656 page 238 Dated December 15, 1993 Recorded December 15, 1993 11:40 A.M.	Joseph Frederick Gazza to Irene Hope Gazza

This conveyance effectuated a re-arrangement and re-design of 9.77979 acres of 7 single and separate blocks of lots into 4 single and separate blocks of lots in accordance with a PRD concept re-development map prepared by the Southampton Town Planning Dept.

LAST DEED OF RECORD

All Adjoining Premises to the North
Young Street

All Adjoining Premises to the East
Riverhead Avenue

All Adjoining Premises to the South
Thomas Street

All Adjoining Premises to the West: SCTM #0900-235-01-058 (27.8 ac.)

Charles G. Smith to J. Louis Schaefer	Dated 8-3-1919 Recorded 9-7-1909 Liber 697 page 301
J. Louis Schaefer to Temuco Co.	Dated 2-10-1910 Recorded 11-21-1927 Liber 1303 page 558
Temuco Co. to Joseph P. Grace	Dated 11-26-1927 Recorded 12-2-1927 Liber 1319 page 38
Elise B. Grace (Executor of Joseph P. Grace, Dec., Nassau Cty. Probate #030111943) to Elise B. Lufkin & Sue Rich Blagden et.al.	Dated 5-14-1991 Recorded 10-3-1991 Liber 11346 page 218

LAST DEED OF RECORD

VARIANCE SEARCH

State of New York
SS. : Title No.
County of Suffolk

Joseph Frederick Gazza being duly sworn, deposes and says:
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Commission Expires 7/17/97

SUBJECT PREMISES:

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Lots 1-10 Incl. Block Four

All as shown on the Map of Southampton Terrace and filed in the Office of the Clerk of the County of Suffolk on August 26, 1916 as Map No. 732 and also filed July 31, 1916 as Map 568.

CHAIN OF TITLE

1. Deed Liber 4006 page 120 Dated October 20, 1955 Recorded October 31, 1955	Harry Koslow to Henry Krochmal, Bertha Bunderoff, Hortense Field, Joan Warshaw, Siegfried Billig, Muriel Kamp and Fannie Billig
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This conveyance effectuated a re-arrangement and re-design of 9.77979 acres of 7 single and separate blocks of lots into 4 single and separate blocks of lots in accordance with a PRD concept re-development map prepared by the Southampton Town Planning Dept.

LAST DEED OF RECORD

All Adjoining Premises to the North
Green Street

All Adjoining Premises to the East
Riverhead Avenue

All Adjoining Premises to the South
Water Street

All Adjoining Premises to the West: SCTM #0900-235-01-058 (27.8 ac.)

Charles G. Smith to J. Louis Schaefer	Dated 8-3-1919 Recorded 9-7-1909 Liber 697 page 301
J. Louis Schaefer to Temuco Co.	Dated 2-10-1910 Recorded 11-21-1927 Liber 1303 page 558
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LAST DEED OF RECORD

All Adjoining Premises to the North
Old Moriches-Riverhead Road

All Adjoining Premises to the East
Wildwood Avenue

All Adjoining Premises to the South
Young Street

All Adjoining Premises to the West: SCTM #0900-235-01-058 (27.8 ac.)

Charles G. Smith to J. Louis Schaefer	Dated 8-3-1919 Recorded 9-7-1909 Liber 697 page 301
J. Louis Schaefer to Temuco Co.	Dated 2-10-1910 Recorded 11-21-1927 Liber 1303 page 558
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Commission Expires 7/17/97

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Lots 1-36 Incl. Block 18

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NOTARY PUBLIC, ST. OF NY
No. 01ST5046737
Qualified in Nassau Cty.
Commission Expires 7/17/97

JOSEPH FREDERICK GAZZA

ATTORNEY AT LAW
P.O. Box 969 5 Ogden Lane
Quogue, New York 11959
(516)653-5766 (Day and Evening)

June 17 , 1996

Pine Barrens Credit Clearinghouse
P.O. Box 587
3525 Sunrise Hwy. 2nd Floor
Great River, New York 11739-0587

Re: Appeal of Credit Allocation

Dear Commission Members,

At the conclusion of our meeting of 4/23/96 wherein I orally presented argument supportive of my letter of appeal regarding credit allocation to 12 out of 20 parcels I own submitted to your Commission for PBC determination, it became apparent to the undersigned that:

Your Commission does not have set policies in place for determining PBCs on the various types and sized parcels situate within the "Core area".

The factors I outlined to your Commission in support of higher PBCs for my parcels are common to other property owners of similar parcels. I recognize that your Commission must develop a uniform plan for PBC allocations and the decision you render on my appeal will be precedent for future appeals of others. Based upon these reasons I respectfully request that a final determination be adjourned until 6/18/96 at such time that your Commission should be fully understanding of my arguments and prepared to apply the same PBC allocation formula established with my parcels to the parcels of others who follow me.

In support of my contention that "Single &Separate lots that are zoning size or less should each possess one PBC, if approvable by the Suffolk Co. Dept. of Health Services for a single family dwelling",I submit the following: Parcel 0900-215.002-01-028 should be allocated 1. PBC not .24 PBC as determined originally by your Commission on 3/11/96. Reasoning: Parcel has an area content of 58000 sq. ft. and measures 200' x 290' as shown on current tax map, copy attached EXHIBIT A.

Parcel is zoned CR-200 calling for newly created residential plots to have an area content of 200,000 sq. ft. However, parcel is a non-conforming lot separately owned and not adjoining any lot or land in the same ownership at the effective date of zoning(see Southampton code 330-115-D,copy attached EXHIBIT B) as proven by Abstract of Title certified by an attorney, copy attached EXHIBIT C. As such,variances may be obtained to utilize parcel for improvement with a single family dwelling.

Parcel complies with dimensional requirements necessary for approval by the SCDHS in that a dwelling may be placed on parcel with associated well and septic system in conformance with current department standards,see sketch attached EXHIBIT D. The owner of parcel owns no other parcels on the subject filed map and has no common plan of development for any other parcels in the area. All other parcels of land within 200 feet of subject parcel are vacant. The soil condition and ground water quality in the area of subject parcel are known to be acceptable to the SCDHS.

It is respectfully submitted that subject parcel could be buildable and therefore should be allocated 1 PBC.

Parcels 0900-212-01-017.8,017.9,017.10,017.11 together which include 678,140 sq. ft. of Pine Barrens Core land area content that was removed from 33 separate tax lot parcels as per Town of Southampton Planning Board Approvals,(17 of the 37 parcels were of sufficient size(10,000 s.f.) or larger to accomodate a conventional septic system with a private well located on the parcel in accordance with current standard established by the SCDHS),should have been granted 24 PBCs not 2.21 plus an undetermined number based on the prior TDRs. The original seven old filed map lots were each single and separate parcels prior to street abandonments, combining and re-configuration as designated by the Southampton Town Planning Department as per 7 single and separate abstracts attached hereto.

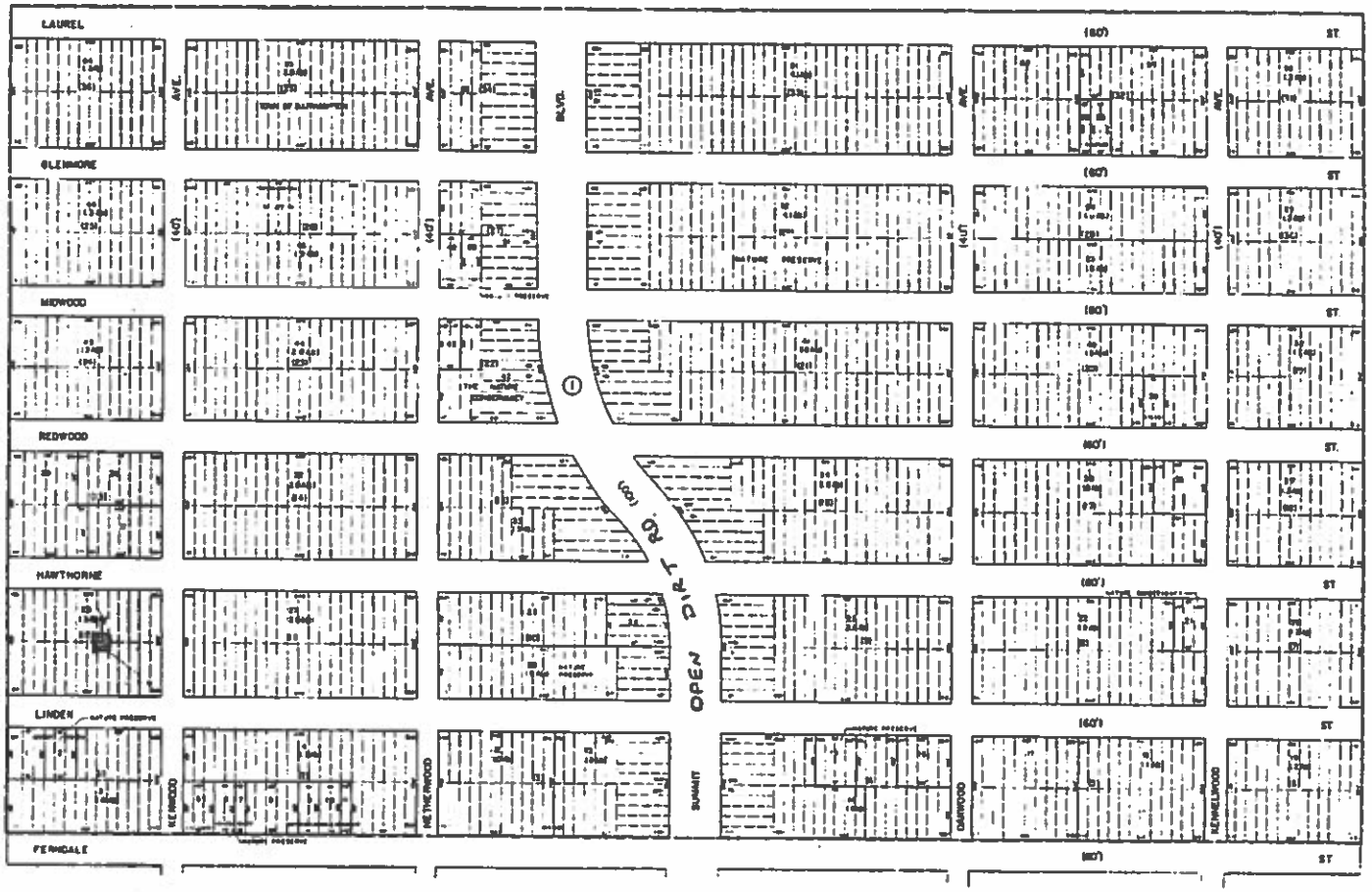
As previously set forth in a hardship application to the PB commission on 10/18/95, I have invested $151,000.00 ofmoney in this tract with its TDRs going back to 3/10/1989. I am just trying to recoup my investment at this time...forget about any profit...forget about 7 years of taxes...forget about 7 years of lost interest on my investment...I just want my $151,000.00 back. This tract with TDR totals 1,103,712 sq. ft. of land that's 25.34 acres. @6000/ac = $151,000,the amount I'm trying to recoup. The County and State using the 1989 Bond Act funds acquired lands in my area over the past four years at price of $14,617.00 per acre average, see schedule attached. The determination of how many PBC your Commission issues to this project times the price your Commission is going to pay me per PBC should equal $151,000.00. Alternatively I return to the P.B. Policy Commission to submit a Second Application on this project.

Pending your Commission's determination of the PBCs allocated to the parcels as set forth in this letter I respectfully request that you delay determination of my remaining 8 parcels still in dispute as set forth in my letter of Appeal D.4/23/1996.

Very truly yours,

JOSEPH FREDERICK GAZZA

cc: file
encl.


LAUREL
GLENMORE
MIDWOOD
REDWOOD
HAWTHORNE
LINDEN
FERNDALE
AVE.
BLVD.
ST.
(60')
(40')
OPEN
SUMMIT
DARWOOD
KENILWORTH
NETHERWOOD
NATURE PRESERVE

situated may be continued in the building or structure or upon the lot or land so occupied, except as provided in § 330-119.

B. A conforming building or structure used by a nonconforming use shall not be reconstructed, structurally altered, restored or repaired to an extent exceeding one hundred percent (100%) of the gross floor area of such building or structure unless the use of such building or structure is changed to a conforming use.

C. A nonconforming building or structure that is devoted to a conforming use may be enlarged, reconstructed, structurally altered, restored or repaired, in whole or in part, and the provisions of Subsection B shall not apply, except that the degree of nonconformity shall not be increased. **[Amended 7-24-1990 by L.L. No. 23-1990; 12-22-1992 by L.L. No. 55-1992]**

D. A nonconforming lot separately owned and not adjoining any lot or land in the same ownership at the effective date of this chapter and not adjoining any lot or land in the same ownership at any time subsequent to such date may be used, or a building or structure may be erected on such lot for use, in accordance with all the other applicable provisions of this chapter, provided that proof of such separate ownership is submitted in the form of an abstract of title showing the changes of title to said lot, which abstract shall be in the usual form, shall be certified by an attorney or a company regularly doing such work in Suffolk County or by a corporation duly licensed to examine and insure title to real property in Suffolk County and shall contain a certification that no contiguous property was owned by an owner of the property involved since the date of any previously applicable zoning law. Such lot shall be granted relief for side and rear yard dimensions as follows:

(Cont'd on page 33146.1)

(1) The total dimensions of both side yards for a principal building shall be computed on the basis of four-tenths (0.4) of the lot width; however, no side yard dimension shall be less than four-tenths (0.4) of the total dimensions of both side yards computed as aforesaid, and no side yard dimension shall be less than ten (10) feet.

(2) The total rear yard dimension for a principal building shall be computed on the basis of three-tenths (0.3) of the lot depth; however, no dimension for the rear yard of a principal building shall be less than thirty (30) feet. **[Amended 12-9-1986 by L.L. No. 20-1986]**

(3) In the case of a single and separate lot meeting the requirements of Subsection D of this section for a

(Cont'd on page 33147)

"B"

VARIANCE SEARCH

State of New York
SS. :
County of Suffolk

Title No.

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Joseph Frederick Gazza
Attorney at Law

Certified on June 10th, 1996
Sworn to before me this 10th day
of June 1996

Beverly E. Strong
Notary Public

BEVERLY E. STRONG
NOTARY PUBLIC, ST. OF NY
No. 01ST5046737
Qualified in Nassau Cty.
Commission Expires 7/17/97

"C"

Subject Premises: SCTM #0900-215.002-01-028

Suffolk County Treasurer having acquired title as per tax sale of 11/17/1919 and 11/29/1920 Liber 1058 Page 41 Dated 11/25/1922 Recorded 11/25/1922

Suffolk County Treasurer to Jack Meder	Dated 5/23/1961 Recorded 5/25/1961 Liber 4991 Page 67
Jack Meder to Theresa Meder	Dated 9/27/1970 Recorded 10/7/1970 Liber 6819 Page 73
Theresa Meder to Mary Meder & Dan Meder Trust	Dated 8/15/1991 Recorded 12/26/1991 Liber 11392 Page 141
Mary Meder & Dan Meder as Trustees persuant to Trust Agreement of Theresa Meder to Joseph Frederick Gazza	Dated 12/12/1995 Recorded 12/28/1995 Liber 11755 Page 869

LAST DEED OF RECORD

All Adjoining Premises to the North

Hawthorne Street (60 ft.)

All Adjoining Premises to the East

Kenwood Avenue (40 ft.)

All Adjoining Premises to the South

Linden Street (60 ft.)

All Adjoining Premises to the West: SCTM #0900-194-01-014

Suffolk County Treasurer to James W. Lynch	Dated 8/4/1938 Recorded 9/11/1964 Liber 5612 Page 245
James W. Lynch to USA Dept. of Transportation	Dated 1/12/1982 Recorded 3/24/1982 Liber 9159 Page 165

LAST DEED OF RECORD

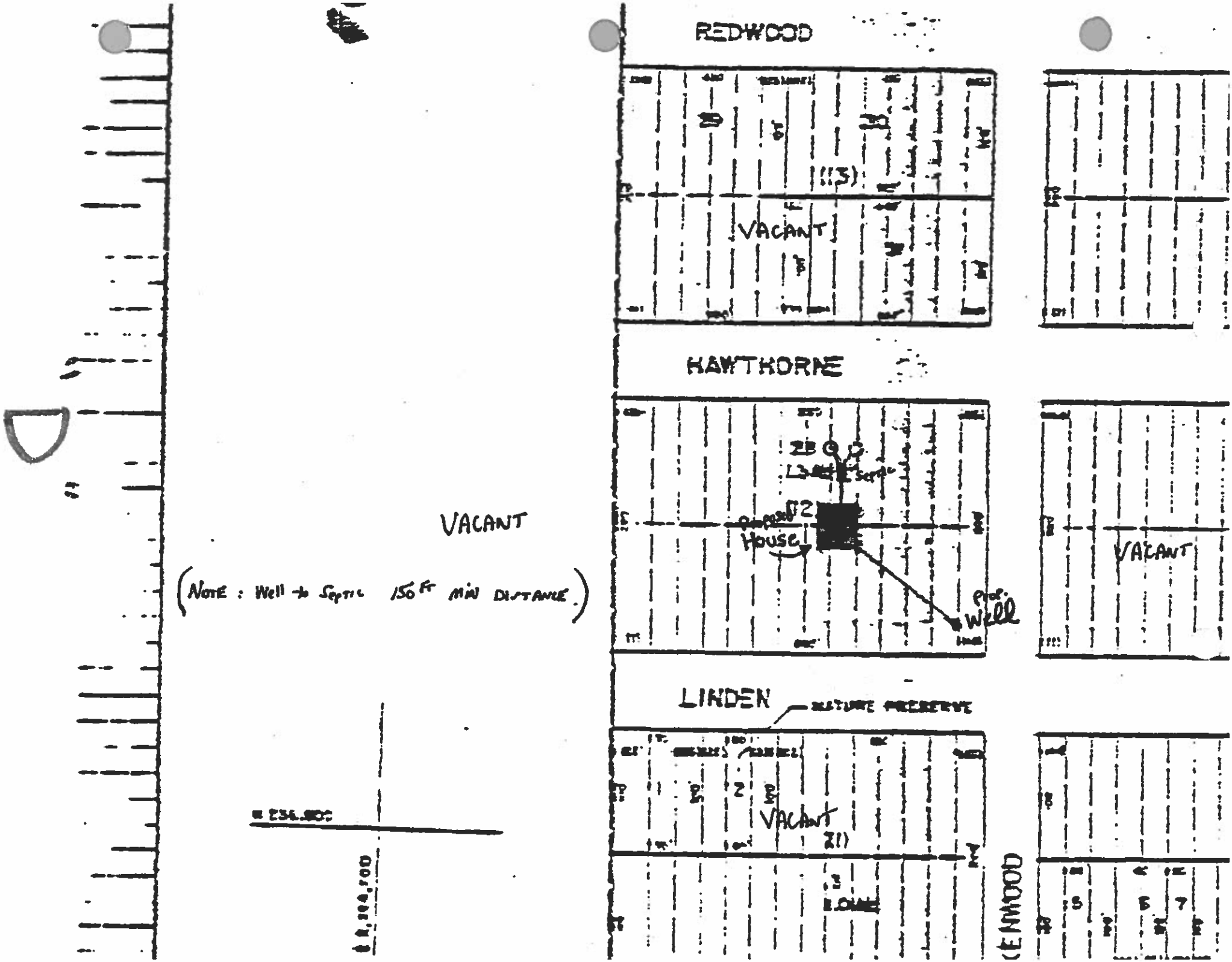
REDWOOD
(13)
VACANT
HAWTHORNE
(12)
House
Prop. Well
VACANT
LINDEN
NATURE PRESERVE
VACANT
(11)
(NOTE : Well to Septic 150 ft MIN DISTANCE)
VACANT
E 236,800
N 2,994,700

TABLE 1: Overview Of The Water Quality Protection Program's Annual Reserve Requirements

	1989 Actual	1990 Actual	1991 Actual	1992 Actual	1993 Actual	1994 Actual	1995 Estimated	1996 Projected	1997 Projected	1998 Projected	1999 Projected	2000 Projected	Total	
	$11,000,567	$33,999,114	$29,988,192	$30,820,057	$30,830,955	$33,515,537	$36,465,800	$38,302,002	$38,935,791	$40,882,581	$42,926,710	$40,585,741	$406,253,047	100.0%
	$5,164,499	$30,779,850	$29,181,979	$30,518,423	$30,439,530	$32,766,510	$34,830,800	$36,642,002	$38,474,102	$40,397,807	$42,417,698	$40,084,724	$391,197,924	
	$154,935	$997,378	$806,213	$301,634	$391,425	$749,027	$1,635,000	$1,660,000	$461,689	$484,774	$509,012	$481,017	$8,052,103	
	$5,681,133	$2,721,867	$600,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$9,003,020	
	$5,852,322	$29,282,215	$23,413,462	$48,968,300	$27,031,187	$26,118,089	$25,577,651	$58,314,098	$30,058,658	$28,795,326	$27,539,690	$25,935,823	$356,884,821	
	$2,065,800	$14,514,697	$12,654,030	$15,861,131	$15,202,167	$14,574,710	$13,947,253	$19,546,900	$18,868,316	$15,943,754	$14,999,194	$14,054,632	$170,252,584	41.7%
	$415,121	$16,165,375	$12,618,215	$12,121,291	$11,624,367	$11,127,443	$10,630,519	$12,296,757	$12,715,772	$11,970,385	$11,225,000	$10,479,613	$133,389,859	
	$0	$0	$0	$3,739,840	$3,577,799	$3,447,267	$3,316,734	$3,250,144	$4,172,544	$3,973,369	$3,774,194	$3,575,019	$32,826,911	
	$1,650,679	($1,650,679)	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	
	$0	$0	$35,815	$0	$0	$0	$0	$4,000,000	$0	$0	$0	$0	$4,035,815	
	$0	$0	$1,616,254	$0	$935,951	$351,478	$500,000	$500,000	$500,000	$500,000	$500,000	$500,000	$5,903,683	1.4%
	$2,634,333	$2,460,333	$5,142,693	$74,340,726	$2,432,000	$2,966,763	$3,134,824	$30,539,937	$3,077,928	$3,231,825	$3,393,416	$3,206,778	$86,561,055	21.2%
	$413,160	$2,422,388	$2,334,558	$2,441,474	$2,435,162	$2,621,321	$2,786,464	$2,931,360	$3,077,928	$3,231,825	$3,393,416	$3,206,778	$31,295,834	
	$2,221,173	$37,945	$2,808,135	$21,898,752	($3,162)	$345,442	$348,360	$27,608,577	$0	$0	$0	$0	$55,265,222	
	$1,152,190	$12,111,940	$3,785,091	$8,575,793	$8,250,712	$7,970,554	$7,680,781	$7,727,260	$9,592,414	$9,119,747	$8,647,080	$8,174,413	$92,787,974	22.7%
	$364,466	$4,107,419	$1,750,453	$3,952,497	$3,801,135	$3,673,480	$3,542,996	$3,606,788	$4,419,648	$4,200,778	$3,981,909	$3,763,039	$41,166,606	
	$46,949	$1,828,265	$1,427,090	$1,370,889	$1,314,688	$1,258,487	$1,202,286	$1,390,733	$1,438,123	$1,353,822	$1,269,520	$1,185,219	$15,086,071	
	$0	$0	$0	$1,910,060	$1,827,301	$1,760,633	$1,693,966	$1,659,958	$2,131,056	$2,029,331	$1,927,606	$1,825,881	$16,765,789	
	$317,517	$2,279,154	$323,363	$671,549	$659,146	$654,360	$646,744	$558,097	$850,469	$817,626	$784,782	$751,939	$9,314,745	
	$787,724	$8,004,521	$2,034,638	$4,623,295	$4,449,577	$4,297,073	$4,137,785	$4,118,474	$5,172,787	$4,918,969	$4,665,171	$4,411,374	$51,621,369	
	$0	$195,248	$215,414	$189,151	$210,357	$254,564	$314,793	$0	$0	$0	$0	$0	$1,379,524	0.3%
	$5,148,245	$4,716,899	$6,574,710	($18,146,243)	$3,799,768	$7,397,468	$12,908,149	($20,012,096)	$8,877,133	$12,087,255	$15,387,020	$14,629,918		
	$5,148,245	$9,865,144	$16,439,853	($1,706,390)	$2,093,378	$9,490,846	$20,398,995	$386,900	$9,264,033	$21,351,288	$36,738,308	$51,368,226	$51,368,226	12.6%

Water Quality Protection Program Constraints:

% Sales Tax Receipts (excluding interest & earnings) Over the Life of the Program:				
on Land Acquisitions (>/52%)	54.0%	← Meets Required Constraint	General Fund Tax Reduction (>/8%), 12-5(C)	22.1% ← Meets Required Constraint
Purchase of Pine Barrens (>/40%), 12-5(A)	43.5%	← Meets Required Constraint	Town Revenue Sharing (</40%), 12-5(D)	23.7% ← Meets Required Constraint
Portion of Town Revenue Sharing (>/7.8%), 12-5(D)	10.5%	← Meets Required Constraint	Water Quality Protection Program and Enforcement (<12%), 12-5(E)	0.4% ← Meets Required Constraint
to see if "cash revenue sharing land purchases" exceed the maximum allowable annual expenditure			← ← ← ←	← Meets Required Constraint
to see if "cash revenue sharing land purchases" exceed the maximum allowable annual expenditure and are not likely to be made up in future years			← ← ← ←	← Meets Required Constraint

Criteria For Added Funds Needed to Reach 40% Minimum County Purchase of Pine Barrens Under 12-5 (A) (1), 1, c, i:												
Under 40%=Positive, Over 40%=Negative)	$1,650,679	($4,053,435)	($945,474)	($3,653,762)	($3,026,255)	($1,468,106)	($14,933)	($890,107)	($1,498,675)	$215,369	$1,967,885	$1,979,257

SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

SITE	ACREAGE	CLOSING DATE	COST	BOND ISSUE	RELATED EXPENSES: APPRAISAL	SURVEY	TITLE	TAX ADJUST.	TAX PAYMENT	MISC.	TOTAL	
...w Woods, East Hampton	777.3	1/89	$17,100,000.00	1989	$9,500.00		$49,300.00		$95,839.40	$211,783.90	$17,466,423.30	
0370-066-01-001.1												
...e Barrens, Southampton & Village of Pine Valley	215.86	07/26/89	$1,682,125.00	1989	$3,000.00		$6,108.52		$12,463.94		$1,703,697.46	
0906-005-01-022 & 023												
0906-007-02-003 & 006												
0906-007-02 -007 & 009												
0906-007-02-011 & 012												
0906-010-01-033 & 032												
0906-010-01-030 & 026												
0906-010-01-028 & 036												
...0-01-039 & 041												
...-01-057.1												
...-01-062, 063, & 061.002												
0906-214-03-006 thru 009, inclusive												
...Creek-Penney Pond, Southampton	50.8	08/09/89	$1,025,770.05	1989			$4,092.00	$3,734.55	$13,132.80		$1,046,729.50	20M/AC
0900-172-01-051												
...s Farm, Huntington	99	08/25/89	$10,750,000.00	1989			$32,892.00	$11,834.00	$148,044.10		$10,942,770.10	
0900-134-01-001												
0900-134-01-002												
0900-134-01-005												
...orville Pine Barrens - Manorville Holding Co.	31.3	08/30/89	$313,921.18	1989			$1,490.00		$9,899.44		$325,310.62	
2 0900-410-02-012.1												
...rville Pine Barrens - Cuales, Hector	498.807	11/03/89	$5,075,000.00	1989	$5,000.00		$16,941.00	$3,869.64	$50,898.90		$5,151,709.54	
2 0900-464-01-004												
2 0900-356-01-003												
...rville Pine Barrens - Anthony Tarzia	24.394	05/21/90	$295,000.00	1989	$2,000.00		$1,417.00	$80.30			$298,497.30	
2 0900-411-05-020												
...ens Adj. to the Comm. College, Southampton	197.435	10/06/89	$2,270,505.00	1989	$3,500.00			$1,667.05	$10,674.08		$2,286,346.13	11500/AC
...k Raskin - Five Star Devel. Corp.												
0900-237-01-001												
0900-235-01-048												
...arrens Adj. to the Comm. College, Southampton	550.6845	11/22/89	$4,839,023.60	1989			$16,388.00	$1,513.72	$16,404.34		4,873,321.66	8860/AC
...onic Associates												
...-005-01-029 f/k/a 0900-162-01-002												
...-005-01-024 " 0900-161-01-027												
...-005-01-026 " 0900-161-01-030												
...-005-01-027 " 0900-161-01-029												

SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

SITE	ACREAGE	CLOSING DATE	COST	BOND ISSUE	RELATED EXPENSES: APPRAISAL	SURVEY	TITLE	TAX ADJUST.	TAX PAYMENT	MISC.	TOTAL	
008-010-01-045 & 0900-213-01-026 f/k/a 0900-213-01-026 008-010-01-044 & 0900-213-01-059.1 f/k/a 0900-213-01-059												
Brush Plains, Islip 000-182-02-061	37.762	01/25/90	$1,650,000.00	1989			$6,006.00		$30,521.36		$1,686,527.36	
ton Hills, Southampton 000-213-01-027.3 et al	1423.367	05/24/90	$16,014,713.00	1989	$15,500.00	$71,900.00	$35,935.00			$243.30	$16,138,291.30	11250/AC MO AC 87
ic Watershed, Southampton 0-022-01-001, 052, 053.2, 056.4 -021-02-043.1	148.139	04/12/90	$4,000,000.00	1989	$4,500.00		$13,507.00	$11,255.53			$4,029,262.53	27000/AC Bonfiel Rd No sale
nic River Corridor - Manorville Pine Barrens hawk Patent, Parcel 1 000-412-03-001, 2, 3 &4 000-463-01-007	183.405	07/24/90	$1,850,189.64	1989	$18,000.00		$7,442.00	$3,255.04			$1,878,886.68	
nic River Corridor - Manorville Pine Barrens norville 57 Patent, Parcel 2 00-355-04-002	54.835	06/28/90	$827,350.00	1989		$461.59	$3,388.80	$2,476.64	$6,473.70		$840,141.93	
nic River Corridor - Manorville Pine Barrens ey Manor 32 Patent, Parcel 3 00-355-02-001	31.716	06/27/91	$383,033.00	1989			$1,756.00				$384,789.00	
nic River Corridor - Manorville Pine Barrens norville 34 Patent, Parcel 4 0-411-06-007	17.188	07/17/90	$207,768.54	1989			$1,156.00	$2,593.00			$211,517.54	
nic River Corridor - Manorville Pine Barrens essway 60 Patent, Parcel 5 -411-06-006	33.24	07/17/90	$401,805.12	1989			$1,894.00	$5,375.16			$409,074.28	
ic River Corridor - Manorville Pine Barrens orville Patent Associates, Parcel 6 0-411-04-001 0-411-03-003	24.131	08/14/90	$315,827.00	1989			$1,522.00	$1,569.24	$5,871.31		$324,789.55	13000/ac
ic River Corridor - Manorville Pine Barrens orville Patent Associates, Parcel 7 0-411-01-002 0-411-03-002	71.085	08/14/90	$752,648.00	1989			$3,100.00	$5,375.16	$20,105.28		$781,228.44	

SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

SITE	ACREAGE	CLOSING DATE	COST	BOND ISSUE	RELATED EXPENSES: APPRAISAL	SURVEY	TITLE	TAX ADJUST.	TAX PAYMENT	MISC.	TOTAL	
conic River Corridor - Manorville Pine Barrens	61.799	10/09/90	$808,825.31	1989			$3,269.00	$1,085.00			$813,179.31	
ading River Northeast, Parcel 8												
000461-02-005.1 & 005.3												
conic River Corridor - Manorville Pine Barrens	33.17	08/07/90	$334,619.00	1989			$1,643.00	$1,136.20	$3,874.70		$341,272.90	
norville 33 Patent, Parcel 9												
200-507-03-014												
200-507-04-014												
e Barrens Adjacent to Comm. College, Southampton	14.035	01/28/91	$50,000.00	1989	$4,500.00		$732.00	$86.80			$55,318.80	3500/AC
nks & Pellicane												with lim
000-238-02-008 & 011												
e Barrens Adjacent to Comm. College, Southampton	8.1	01/28/91	$25,000.00	1989			$293.00	$34.72			$25,327.72	3100/AC
nks												
000-304-03-005												
ders Preserve Area, Southampton	98.185	01/30/91	$1,182,000.00	1989	$4,000.00						$1,209,871.71	12000/AC
000-182-01-003 & 090-195.1-01-001												
bler Woods, Brookhaven & Southampton	240.962	01/14/91	$6,000,000.00	1989	$3,650.00		$19,522.00	$11,338.13		$2,400.00	$6,036,910.13	
000-551-01-004												
port, Brookhaven & Southampton	477.486	12/31/90	$4,500,000.00	1989	$6,800.00	$11,000.00			$45,204.42	$10,833.75	$4,573,838.17	
00-512-06-001		01/18/91										
00-512-06-002												
00-512-06-004												
00-274-01-001												
00-274-01-002												
00-300-02-001.001												
00-325-01-001												
ity of Penny Pond, Southampton	27.3	02/08/91	$368,550.00	1989							$368,550.00	13500/AC
00-172-01-048.099												
hampton Pine Barrens, Amer. Lung Assoc.	0.12	06/01/91	$1,600.00	1989			$227.00	$14.88			$1,841.88	13333/A
00-277-07-015												
00-277-10-001												
hampton Pine Barrens, Madden	1.9	08/06/90	$14,200.00	1989			$235.00		$64.70		$14,499.70	7500/AC
00-306-01-002												
00-280-01-005												
00-307-01-001												
Barrens Adjacent to Comm. College, Southampton	50.61	07/18/91	$430,382.70	1989			$1,935.00	$1,242.12	$4,231.72		$437,791.54	8500/AC
ate of Julius Miller												

Scrub 615/AC
Acc

Scrub Lot
Bonus 350/AC

/96

SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

SITE	ACREAGE	CLOSING DATE	COST	BOND ISSUE	RELATED EXPENSES: APPRAISAL	SURVEY	TITLE	TAX ADJUST.	TAX PAYMENT	MISC.	TOTAL	
00-213-01-060.1												
06-010-01-042												
Barrens Adjacent to Comm. College, Southampton	0.75	06/27/91	$6,750.00	1989			$204.00		$147.65		$7,101.65	9000/AC
aldine Francis												
Barrens Adjacent to Comm. College, Southampton	0.75	06/27/91	$6,750.00	1989			$204.00	$57.42			$7,011.42	9000/AC
chard & Irene Francis												
00-214-03-013.1 & 014												
00-214-03-012, & 013.2												
Barrens Adjacent to Comm. College, Southampton	1.75	09/17/91	$14,000.00	1989			$245.00		$239.02		$14,484.02	8000/AC
xander B. Patrick												
00-213-01-067												
06-010-01-038												
Barrens Adjacent to Comm. College, Southampton	40.39	08/06/91	$328,000.00	1989			$1,643.00	$1,512.25	$4,943.98		$335,999.23	8120/AC
bstra University												
00-213-01-004.1												
00-213-01-006												
00-213-01-007												
00-213-01-008												
00-213-01-010												
00-213-01-011												
00-213-01-013												
00-213-01-015												
00-213-01-017												
00-213-01-019												
00-213-01-020												
00-213-01-021												
00-213-01-024												
0-213-01-025.1												
3-214-01-001												
00-214-01-004												
00-214-01-007												
00-214-01-010												
00-214-01-011												
00-214-01-012												
00-214-01-013												
00-214-01-015												
00-214-01-017												
00-214-01-019												
6-010-01-017												
6-010-01-019												
6-010-01-021												
6-010-01-023												

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SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

SITE	ACREAGE	CLOSING DATE	COST	BOND ISSUE	RELATED EXPENSES: APPRAISAL	SURVEY	TITLE	TAX ADJUST.	TAX PAYMENT	MISC.	TOTAL	
006-010-01-025												
ler Woods, Brookhaven	42.878	10/10/91	$428,780.00	1989	$1,750.00		$1,927.00	$1,265.82	$5,310.31		$439,033.13	
00-529-01-028												
f Pine Barrens, Southampton	346.104	10/10/91	$2,422,728.00	1989			$8,472.00	$2,837.00	$18,555.32	$51,875.06	$2,504,467.38	7000/ac
00-284-01-027												
00-311-01- p/o 001 &												
05-001-01- p/o 001												
r Woods, Brookhaven	137.311	11/22/91	$1,597,751.00	1989	$2,500.00		$5,865.00		$20,707.71	$64,939.60	$1,691,763.31	
-529-01-029												
00-551-01-001												
nic River Headlands, Brookhaven	215.996	11/22/91	$1,989,323.00	1989	$2,200.00		$7,115.00			$81,555.53	$2,080,193.53	
00-297-02-014.001												
00-268-01-001												
onville Pine Barrens, Brookhaven - F. DeMatteis	35.991	12/12/91	$321,000.00	1989	$2,600.00		$1,541.00		$4,957.05		$330,098.05	
00-465-01-003												
onville Pine Barrens, Brookhaven - PDLB Assoc.	56.5	12/16/91	$586,800.00	1989	$3,000.00		$2,499.00		$9,292.36		$601,591.36	
00-413-01-001												
00-464-01-002												
Barrens Adjac. to Comm. College, Southampton	0.05	12/17/91	$600.00	1989			$177.00				$777.00	12000/ac
00-214-01-006												
nic River Headlands, Riverhead	264.973	12/23/91	$2,437,751.60	1989	$2,700.00		$8,519.00		$44,726.49		$2,493,697.09	
00-134-01-009.001												
Woods, East Hampton	41.757	12/23/91	$929,093.25	1989	$9,200.00		$3,714.00	$4,563.32		$3,238.68	$949,809.25	
-125-02-002.002												
lich Farm, Huntington Station	208.4	12/31/91	$12,425,000.00	1989/91			$37,403.00		$389,891.26	$265,038.43	$13,117,332.69	
00-090-06-016												
0-134-01-003												
0-134-03-004.1												
0-134-03-004.2												
0-134-03-005												
0-134-03-006												
0-134-04-001												
0-135-02-003												
oneck Greenbelt, Southampton	99.060	02/11/92	$1,785,000.00	1991	$4,000.00		$6,705.00	$1,896.40	$3,147.07		$1,800,748.47	18019/ac
0-055-02-007.001												

SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

SITE	ACREAGE	CLOSING DATE	COST	BOND ISSUE	RELATED EXPENSES: APPRAISAL	SURVEY	TITLE	TAX ADJUST.	TAX PAYMENT	MISC.	TOTAL	
900-055-02-010												
900-055-01-018.2 & 018.3												
900-055-01-019												
900-055-01-019												
900-055-01-030												
900-055-01-025												
900-055-01-017												
											$910,292.20	
ecourse Woods, Brookhaven	54.450	02/11/92	$900,000.00	1991	$3,500.00		$3,589.00	$3,203.20				
200-[illegible]02-003												
											$3,323,753.52	
[illegible]nes/Farmingville, Brookhaven	101.900	03/25/92	$3,300,000.00	1991	$9,500.00		$11,269.00	$2,984.52				
900-502-01-010.001												
200-626-03-044												
											$83,886.84	24570/AC
[illegible]de Line Highway	3.256	03/30/92	$80,000.00	1991	$1,500.00		$606.00	$32.88	$1,747.96			
900-024-04-006												
											$1,522,704.59	13579/AC
[illegible]t Hampton Airport Area-Peconic Land Trust,	110.000	04/07/92	$1,487,100.00	1991	$2,500.00		$5,489.00	$2,510.33	$17,731.68	$7,373.58		
East Hampton												
900-155-01-018												
											$1,943,382.88	
[illegible]am Wetlands, Brookhaven	114.100	05/08/92	$1,925,000.00	1991	$4,300.00		$6,984.00		$7,098.88			
900-451-02-006.004												
											$202,594.17	21395/AC
[illegible]rl Pine Barrens, Southampton	9.348	06/09/92	$200,000.00	1991			$1,201.00	$338.43	$1,054.74			
900-216-01-023												
										$9,901.00	$1,018,815.00	
[illegible]pton Estates Conservation Easement, Huntington	23.690	12/29/92	$995,000.00	1991	$4,600.00	$5,400.00	$3,914.00					
900-231-01-022, 023, 024 & 025.2												
											$82,598.60	20000/AC
[illegible] Highway, Southampton	4.000	09/22/93	$80,000.00	1991	$1,500.00		$629.00	$77.28	$392.32			
[illegible]-04-007												
											$65,726.59	22521/AC Flanders Rt 24
[illegible]z, Boris, Southampton	2.912	06/01/94	$65,000.00	1991				$247.55	$479.04			
900-171-01-020												
											$658,065.52	
[illegible] Theodore Albert, Brookhaven	87.572	08/16/94	$634,897.00	1991	$2,400.00		$2,663.00	$4,065.10	$14,040.42			
900-463-01-010.001												
											$289,193.23	
[illegible]/Malekan, Brookhaven	35.600	12/08/94	$277,378.25	1991	$4,000.00		$1,351.00		$6,463.98			
900-411-03-001.1 &												
900-411-01-003.1												
											$708,112.44	
[illegible] Industries, et. al., Brookhaven	105.470	12/16/94	$685,555.00	1991	$2,000.00	$2,850.00			$17,707.44			
[illegible]413-03-002												

SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

SITE	ACREAGE	CLOSING DATE	COST	BOND ISSUE	RELATED EXPENSES: APPRAISAL	SURVEY	TITLE	TAX ADJUST.	TAX PAYMENT	MISC.	TOTAL	
...s, Hector, Brookhaven	101.100	12/30/94	$657,323.55	1991	$2,000.00		$2,715.00		$17,178.85		$679,217.40	
000-413-03-001.001												
...k Manorville Assoc., Brookhaven	40.750	03/09/95	$305,625.00	1991	$2,500.00		$1,461.00	$1,886.40	$3,825.59		$315,297.99	
000-411-04-003												
000-411-03-004												
...nhals, Gustave & Mary, Brookhaven	26.330	03/13/95	$220,599.59	1991	$3,000.00		$1,134.00	$815.28	$1,883.07		$227,431.94	
000-463-01-002.1												
...stein Herman, Brookhaven	64.232	03/10/95	$513,856.00	1991	$2,000.00		$2,243.00		$7,907.70		$526,006.70	
587 01-008												
... Paula, et. al., Brookhaven	24.700	04/11/95	$162,954.00	1991	$2,000.00		$914.00	$555.00	$2,025.12		$168,448.12	
000-464-01-003												
...rf Pine Barren, Old Country Rd Co., Southampton	110.970	12/22/94	$554,850.00	1991	$2,300.00		$2,389.00		$9,657.60		$569,196.60	2444? 5000/AC
000-239-02-003												
000-304-02-001												
...ll Associates, Southold	48.600	12/22/94	$777,310.40	1991	$3,000.00		$3,159.00	$7,558.97		$3,779.49	$794,807.86	
000-125-01-001												
...nonville Pine Barrens, Furia, Russell E.	68.825	07/19/95	$612,542.50	1991	$3,500.00	$5,500.00	$2,586.00	$3,201.93			$627,330.43	8900/AC
000-463-01-012.3												
...asure Drive Trail Connection, Southampton Land	89.512	07/20/95	$984,634.20	1991	$5,400.00		$4,027.00	$4,552.30			$998,613.50	Flat rate 11000/AC
000-170-01-015 &												
000-170-01- p/o 022												
...nonville Pine Barrens, Levatino, Catherine	41.037	08/22/95	$316,080.00	1991			$1,499.00	$1,835.20			$319,414.20	7709/AC
000-465-04-004.1												
..., Peconic Homes Corp. Southold	30.001	02/06/96	$480,019.00	1991	$4,500.00						$484,519.00	16m/AC
000-121-03-p/o 007.1												
...nonville Pine Barrens, Michel Fribourg, Omnia Prop.		12/11/95		1991	$16,100.00		$19,505.00			$11,300.00	$6,203,930.02	
000-464-02-002	105.70		$924,875.88									
000-465-01-002	56.42		$484,891.75									
000-465-01-004	31.21		$273,114.63									
000-414-01-001	70.07		$613,108.13									
000-300-01-005.001 & 005.004												
000-359-01-002	318.11		$2,783,482.63									8760/AC
000-300-01-003.001 & 003.002	123.15		$1,077,552.00									

SUFFOLK COUNTY DRINKING WATER PROTECTION PROGRAM

SITE	ACREAGE	CLOSING DATE	COST	BOND ISSUE	RELATED EXPENSES						TOTAL
					APPRAISAL	SURVEY	TITLE	TAX ADJUST.	TAX PAYMENT	MISC.	
	8979.790		$131,121,932.50		$190,000.00	$97,111.59	$402,212.52	$134,827.27	$1,084,816.80	$724,262.32	$133,755,163.00

y & Title in Progress

09,086.24 came from 1989 Bonding

14617/A