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CENTRAL PINE BARRENS

JOINT PLANNING AND POLICY COMMISSION

----- :
: In the Matter of the Appeal of :
: :
: JOHN MC DONNELL by :
: PATRICIA MC DONNELL :
: :
: pursuant to Section 6.7.3.4 allocating :
: appellant 0.18 Pine Barrens Credits in :
: a Letter of Interpretation dated :
: November 6, 2001 for Suffolk County Tax :
: Map Parcel #200-511-5-77. :
: :
: ----- :

HEARING in the above-captioned matter, held
on the 9th day of January 2002 at 3:00 P.M., at
Southaven County Park, Victory Avenue, Yaphank, New
York, pursuant to Section 6.7.3.3 of the Central Pine
Barrens Comprehensive Land Use Plan, Notice of Hearing,
and before Sheila Pariser, R.P.R., a Notary Public of
the State of New York.

ORIGINAL

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

2
3 ROBERT J. GAFFNEY, Chairman
 Suffolk County Executive
4 BY: GEORGE PROIOS, Acting Chairman

5 ROBERT KOZAKIEWICZ, Member
 Supervisor, Town of Riverhead
6 BY: JOEY MAC LELLAN

7
8 PATRICK HEANEY, Member
 Supervisor, Town of Southampton
9 BY: JEFF MURPHREE

10 JOHN J. LA VALLE, Member
 Supervisor, Town of Brookhaven
11 BY: BRENDA A. PRUSINOWSKI, AICP

12
13 RAY E. COWEN, P.E., Member
 DEC Regional Director
 Representing GEORGE PATAKI, Governor
14 BY: WILLIAM SPITZ

15
16 MC MILLAN, RATHER, BENNETT & RIGANO, P.C.
 Attorneys for Commission
17 BY: JAMES P. RIGANO, ESQ.

18 DONNA PLUNKETT, Staff to Commission

19
20 MARK H. RIZZO, Environmental Analyst

21
22
23 o0o

1 [THE HEARING WAS CALLED TO ORDER BY THE
2 ACTING CHAIRMAN, GEORGE PROIOS, AT 3:15
3 P.M.

4
5 MR. PROIOS:

I would like to convene this
6 public hearing. For the record, let me
7 read the announcement that appeared in the
8 paper describing the application on the
9 hearing we are about to have.

10 "Please take notice that a
11 hearing on the Letter of Interpretation
12 appeal of John McDonnell by Patricia
13 McDonnell has been scheduled for January 9,
14 2002 at three p.m. at the Suffolk County
15 Park Police & Pine Barrens Center at
16 Southaven County Park, Victory Avenue,
17 Yaphank, New York.

18 "Said appeal is made pursuant to
19 Section 6.7.3.3 of the Central Pine Barrens
20 Comprehensive Land Use Plan, (the Plan).

21 "The Central Pine Barrens Joint
22 Planning and Policy Commission will be
23 holding the appeal hearing pursuant to
24 Section 6.7.3.4 of the Plan. The appellant
25 was allocated 0.18 Pine Barrens Credits in

1 a Letter of Interpretation dated November
2 6, 2001 for Suffolk County Tax Map Parcel
3 #200-511-5-77. The parcel is located to
4 the north of County Road 111 in Manorville,
5 Town of Brookhaven.

6 "Any persons who wish to comment
7 on the appeal are invited to attend the
8 hearing."

9 For the record, I should also
10 introduce myself, George Proios, Acting
11 Chairman, acting on behalf of Robert
12 Gaffney, who is the Chairman of the
13 Commission.

14 I will let the others introduce
15 themselves.

16 MS. PRUSINOWSKI: Brenda Prusinowski, representing
17 Brookhaven Supervisor, John J. LaValle.

18 MR. MAC LELLAN: Joey MacLellan, representing
19 Riverhead Supervisor, Robert Kozakiewicz.

20 MR. MURPHREE: Jeff Murphree from the Town of
21 Southampton, representing Supervisor
22 Patrick Heaney.

23 MR. SPITZ: I am Bill Spitz, here on behalf
24 of Commissioner James E. Cowen.

25 MR. RIGANO: James Rigano, counsel to the

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Commission.

MR. RIZZO: Mark Rizzo, Commission Staff.

MR. PROIOS: Mr. Rizzo, would you like to give a brief presentation to the Commission?

MR. RIZZO: Sure. I would like to put some items into evidence and point your attention to them. It is going to be this sheet over here. [INDICATING]

MR. MURPHREE: You have a list of exhibits?

MR. RIZZO: Correct. I will go through the list of exhibits.

Number 1 of the Commission's exhibits is this cover sheet.

Exhibit Number 2 which is the Letter of Interpretation of the appeal dated November 6, 2001. It is issued for 0.18 Pine Barrens Credits.

I will move on to the next exhibit, Exhibit Number 3, which is the Pine Barrens Credit Letter of Interpretation Application Staff Report dated 10/19/01.

Lot Number 77, which is the lot in question, is 1.08 acres. It is zoned A5 Residence District in the Town of

1 Brookhaven, and it is a vacant parcel.

2 MR. PROIOS: Do you know when it was actually
3 zoned A-5?

4 MR. RIZZO: I do not have that information.

5 The fourth document that I will
6 enter is the Suffolk County Real Property
7 Tax Service Agency Tax Map 511. The parcel
8 in question on this exhibit is a gray-
9 shaded color. It is in the right upper
10 portion of the map. It's right off the
11 paper street called Cushing Avenue and a
12 paper street called 14th Street.

13 MS. PRUSINOWSKI: There are other tax map parcels
14 that are outlined. Do they have any
15 bearing on this?

16 MR. RIZZO: They were just other parcels that
17 the applicant owns, but not in this
18 application.

19 MS. PRUSINOWSKI: All right.

20 MR. RIZZO: The fifth exhibit is an aerial
21 photo produced using ArcView 3.2 Geographic
22 Information Systems Software. It is a 1999
23 aerial photo from the Suffolk Air Photo
24 Project, which is a consortium of many
25 governmental agencies, and it is not ortho-

1 rectified.

2 The subject parcel is outlined in
3 tan. The other surrounding parcels are
4 outlined in a magenta color.

5 As you can see, the subject
6 parcel is vacant and the surrounding parcel
7 is vacant, but you do see the paper street
8 indicated on the map.

9 Any questions so far? [NO
10 RESPONSE]

11 Then I will go to Commission's
12 Exhibit Number 6, which is a portrait style
13 aerial photo. This, again, was produced
14 using ArcView Version 3.2. It is a 1999
15 aerial photo from the Suffolk County Air
16 Photo Project, and this is a more regional
17 view of the area.

18 Again, the subject parcel is in a
19 tan outline and the surrounding parcels are
20 outlined in magenta.

21 To get you oriented, to the
22 southwest of the subject parcel is the
23 major road, which is County Route 111.
24 Does everybody see that?

25 Again, the surrounding area

1 appears to be vacant. There is development
2 on the south side of County Route 111, and
3 the other side is the core area.

4 MR. PROIOS: How accurate is this map?

5 MR. RIZZO: It should be pretty accurate. It
6 is in accordance with the development of
7 the area.

8 We move to the next exhibit,
9 which is Exhibit Number 7, a map that was
10 produced using ArcView Version 3.2. It is
11 a map showing the subject parcel in a blue
12 outline, and the parcels owned by the
13 County of Suffolk in the green fill, and
14 the parcels owned by the State of New York
15 in a brown fill, and a line extending from
16 the southeast corner of the parcel straight
17 down County Route 111 showing a distance of
18 thirty-one hundred feet plus or minus.
19 That would not be the exact distance that
20 the person needs to have road access.

21 As you can see, the paper streets
22 dead-end. They would have to have access
23 to the east and south a little bit.

24 MR. PROIOS: Do you know if that part of Route
25 111 is dedicated in any way?

1 MR. RIZZO: No, that is a right-of-way. This
2 is the area here, the concrete portion.

3 MR. PROIOS: Do we own a portion beyond that
4 isn't paved? Do you know how far that
5 extends?

6 MR. RIZZO: It is within that right of way.
7 You would have to get access from the south
8 and east of that straight line.

9 Does anyone have any questions on
10 this?

11 [WHEREUPON COVER SHEET, LETTER OF
12 INTERPRETATION DATED NOVEMBER 6, 2001,
13 LETTER OF INTERPRETATION DATED OCTOBER 19,
14 2001, TAX MAP 511, TWO AERIAL PHOTOS AND
15 MAP WERE MARKED COMMISSION'S EXHIBITS 1
16 THROUGH 7 IN EVIDENCE, RESPECTIVELY.]

17 MS. PRUSINOWSKI: Quite some time ago the
18 Commission did grant relief to a parcel on
19 County Route 111.

20 MR. RIZZO: That's correct. That is the
21 Weinstein parcel, which the Commission --
22 it might be the large one or the square
23 one, and the large one is the Weinstein
24 parcel. Right to the south and east of
25 that parcel where the straight line comes

1 through is the Sipala and Alberta parcels,
2 which the Commission did grant additional
3 credits for.

4 MS. PRUSINOWSKI: I thought it was a core hardship
5 exemption, not credit?

6 MS. PLUNKETT: I don't think that's shown on the
7 map. That's a little bit up here.

8 [INDICATING]

9 MR. PROIOS: There would be quite a few number
10 of parcels that the applicant would have to
11 go through.

12 MR. RIZZO: There are paper streets.

13 MS. PRUSINOWSKI: There would have to be a
14 circuitous route through this.

15 MR. RIZZO: That's right.

16 MR. MURPHREE: Again, the County has no hardship
17 in building in this route?

18 MR. RIZZO: Most of this land is a County
19 Nature Preserve in the New York State
20 Protected Status. I doubt that those
21 landowners would want to build those.

22 MR. PROIOS: With respect to the applicant's
23 comments in his letter to us, that this
24 land is in an area where homes are already
25 built on one acre or less, I don't see

1 anything in the aerial photograph that
2 shows any homes at all.

3 MR. RIZZO: The only homes I know that are in
4 this area are to the south of County Route
5 111. I think this is a pretty wide shot
6 aerial, and it doesn't show any homes. It
7 shows vacant land.

8 The County owns a lot of those
9 parcels as shown on Exhibit 7.

10 The owner lives in Florida, and
11 it was a burden for them to come up here in
12 person. So, they did send some information
13 for me to put into the record for them, and
14 I will go through those right now. It is
15 this packet right here.

16 The first one is going to be
17 Appellant's Exhibit A, which is a letter
18 dated November 12, 2001.

19 Do you want me to read this?

20 MR. PROIOS: Just the cover letter?

21 MR. SPITZ: We all have copies.

22 MR. PROIOS: Did you include this as part of
23 the exhibits?

24 MR. RIZZO: Yes, a letter dated November 12,
25 2001.

1 Appellant's Exhibit B is a letter
2 dated November 30, 2001.

3 Appellant's Exhibit C is a letter
4 with no date to me via fax and to the
5 Commissioners, cc'd.

6 MR. SPITZ: When was that received?

7 MR. RIZZO: I don't have a date stamp on
8 that, but I believe it was on Friday.

9 MR. SPITZ: Friday this past?

10 MR. RIZZO: Yes.

11 MR. SPITZ: For the record, do you have a
12 date?

13 MR. RIZZO: January 4, 2002.

14 Appellant's Exhibit D is
15 Brookhaven Town Statement of Taxes.

16 Exhibit E is the Town of
17 Brookhaven Board of Assessment Review,
18 Determination of Board of Assessment
19 Review, dated -- no date -- but it does
20 have the tax year of 1995-1996.

21 Appellant's Exhibit F is a map of
22 the local area showing her parcel with the
23 paper street and with County Route 111 and
24 Hot Water Street indicated on it, and
25 Appellant's Exhibit G is an aerial photo, a

1 black and white aerial photo of the area
2 showing County Route 111 and then the
3 historic outline of the area from County
4 Route 111 north to that parcel. They don't
5 indicate exactly where their parcel is.

6 I think it appears that they are
7 indicating that the whole outlined area is
8 their parcel, which is not true.

9 Does anyone have any questions?

10 MR. PROIOS: I know twenty-five years ago
11 there was no A5 zoning in Brookhaven Town.
12 I would have to conclude the zoning did
13 change while they owned the property.

14 MR. RIZZO: I believe they have owned the
15 property since 1963.

16 MS. PRUSINOWSKI: That particular letter,
17 apparently, there was some land swapped.

18 MR. PROIOS: Hmm-mmm, but apparently nothing
19 was filed with the Town to preserve rights
20 to build at that point. I can only
21 conclude that they never went ahead with
22 the decision to build back then.

23 Has the applicant considered
24 making application -- well, that's not
25 within your knowledge.

1 MS. PRUSINOWSKI: In order to build, they had to
2 build roads and at the present time that
3 would mean going through preserved State
4 land or by some other circuitous route. It
5 looks to me they will be building well in
6 excess of a mile of road to get to this
7 parcel if they can get there.

8 MR. RIZZO: Let the record stay open until
9 the next Commission Meeting so I can
10 furnish my exhibits to the applicant, and
11 possibly they can respond to them.

12 MR. PROIOS: Okay. Are there any questions
13 from the Commission members?

14 MR. MAC LELLAN: No.

15 MR. PROIOS: There is definitely not any kind
16 of single and separate parcel?

17 MR. RIZZO: Nothing was indicated about
18 single and separate.

19 MR. PROIOS: Maybe you want to ask them that
20 when you transmit this information, and
21 maybe they do have something they failed to
22 give us.

23 MS. PRUSINOWSKI: What is this showing me?

24 MR. RIZZO: This is from the appellant. It is
25 Appellant's Exhibit G, a black and white

1 aerial photo.

2 [WHEREUPON LETTER DATED NOVEMBER 12, 2001,
3 LETTER DATED NOVEMBER 30, 2001, UNDATED
4 LETTER, STATEMENT OF TAXES, TAX YEAR '95-
5 '96 ASSESSMENT REVIEW, MAP OF LOCAL AREA
6 AND AERIAL PHOTO WERE MARKED APPELLANT'S
7 EXHIBITS A THROUGH G IN EVIDENCE,
8 RESPECTIVELY.]

9 MS. PRUSINOWSKI: What is that?

10 MR. RIZZO: They are just trying to indicate
11 the location of this property.

12 MR. MAC LELLAN: Actually, it is the top?

13 MR. RIZZO: Most of the top. Actually, it is
14 not that whole rectangle. The appellant's
15 parcel should be in here. [INDICATING]

16 MS. PRUSINOWSKI: Is that close?

17 MR. RIZZO: The photograph indicates that
18 road to the north. This thing should be
19 the dirt road; the forested road. I'm
20 sorry.

21 MR. MAC LELLAN: Which should be represented down
22 here somewhere?

23 MR. RIZZO: The decision is dated February
24 8th. So, it would fall after the next
25 meeting.

1 MS. PRUSINOWSKI: If you are going to be in touch
2 with the applicant, would you question her
3 on this? This isn't even remotely the same
4 scale. I don't think that's possible.

5 MR. MURPHREE: I don't think so either.

6 MR. RIZZO: I don't think the appellants knew
7 exactly on the aerial view where the parcel
8 was.

9 MR. MURPHREE: It looks like the applicant owns
10 a twenty acre parcel when, in fact, they
11 only own a one acre parcel.

12 MR. PROIOS: Is everyone finished?

13 Does anyone from the public wish
14 to address the Commission on this
15 application?

16 If not, I will close the public
17 portion and I will leave the comment period
18 open until we can get this information to
19 the applicant.

20 MR. RIZZO: Until the next meeting?

21 MR. PROIOS: Until our next meeting.

22 Thank you.

23 [WHEREUPON THIS HEARING WAS ADJOURNED AT
24 3:40 P.M.]

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25COMMISSION'S EXHIBITS MARKED IN EVIDENCE

Exhibit 1:	Cover Sheet	Page 9
Exhibit 2:	Letter of Interpretation, 11/6/01	Page 9
Exhibit 3:	Letter of Interpretation, 10/19/01	Page 9
Exhibit 4:	Tax Map 511	Page 9
Exhibit 5:	Aerial Photo	Page 9
Exhibit 6:	Aerial Photo	Page 9
Exhibit 7:	Map	Page 9

APPELLANT'S EXHIBITS MARKED IN EVIDENCE

Exhibit A:	Letter dated 11/12/01	Page 15
Exhibit B:	Letter dated November 30, 2001	Page 15
Exhibit C:	Letter - undated	Page 15
Exhibit D:	Statement of Taxes	Page 15
Exhibit E:	Tax year '95-'96 Assessment Review	Page 15
Exhibit F:	Map of Local Area	Page 15
Exhibit G:	Aerial photo	Page 15

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CERTIFICATION

STATE OF NEW YORK)
)
COUNTY OF SUFFOLK)

I, SHEILA PARISER, R.P.R., a Notary Public in
and for the State of New York, do hereby certify:

THAT this is a true and accurate record of
the Hearing held before the Central Pine Barrens
Joint Planning and Policy Commission, in the matter
of JOHN MC CONNELL, held on January 9, 2002, as
reported by me and transcribed under my direction.

IN WITNESS WHEREOF, I have hereunto set my
hand this 15th day of January, 2002.



SHEILA PARISER, R.P.R.

List of Exhibits for McDonnell Letter of Interpretation Appeal
SCTM # 200 - 511 - 5 - 77
January 9, 2002

1. This Cover Sheet
2. Letter of Interpretation for SCTM # 200 - 511 - 5 - 77 Dated November 6, 2001 (2 Pages)
3. Pine Barrens Credit Letter of Interpretation Application Staff Report Dated 10/19/01
4. Suffolk County Real Property Tax Service Agency Tax Map for Section 511 Town of Brookhaven
5. Aerial Photo of subject parcel and area (Landscape) produced using ArcView 3.2 Geographic Information System Software, Aerial Photo from 1999 Suffolk Air Photo Project. Consortium of many governmental agencies. Aerial is not ortho-rectified.
6. Aerial Photo of subject parcel and regional area (Portrait) produced using ArcView 3.2 Geographic Information System Software, Aerial Photo from 1999 Suffolk Air Photo Project. Consortium of many governmental agencies. Aerial is not ortho-rectified.
7. Geographic Information System map produced using ArcView 3.2. Shows subject parcel, Suffolk County, and State of New York parcels in the area. (Portrait)



PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., CHAIRMAN
ANDREW P. FRELENG, AICP, VICE CHAIRMAN
VINCENT J. CANNUSCIO, MEMBER
RICHARD W. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

LETTER OF INTERPRETATION

Re: Suffolk County Tax Map Number: 200-511-5-77

Applicant: John McDonnell

Date: November 6, 2001

Findings of Fact

The applicant applied for a Letter of Interpretation for the above-referenced 1.08 acre parcel. The parcel is in the Town of Brookhaven. It was in the A Residence 5 District at the adoption of the *Central Pine Barrens Comprehensive Land Use Plan* (the "Plan") on June 28, 1995.

Conclusions

The *Plan* grants to every parcel of land in a sending area a use right, known as Pine Barrens Credits, that may be used to seek development density or intensity increases on lands identified as receiving areas within the same township.

The *Plan* establishes the formula for allocating Pine Barrens Credits. In sending areas within the A Residence 5 District of the Town of Brookhaven, the number of Pine Barrens Credits allocated is equal to the parcel's size in acres multiplied by 0.16. Based upon this allocation formula, 0.1728 Pine Barrens Credits may be allocated to this parcel. There are no known conditions on the parcel which reduce the allocation of Pine Barrens Credits pursuant to Section 6.3.3 of the *Plan*.

The total number of Pine Barrens Credits allocated for this parcel is 0.18.

P.O. BOX 587, 3525 SUNRISE HIGHWAY, 2ND FLOOR, GREAT RIVER, NEW YORK 11739-0587
631-224-2604 / FAX 631-224-7653
<http://pb.state.ny.us>



Letter of Interpretation for SCTM # 200-511-5-77
November 6, 2001
Page Two

This Letter of Interpretation expires in one year from the above date. In order to obtain a Pine Barrens Credit Certificate you must complete the Pine Barrens Credit Certificate Application and follow the instructions contained in the Pine Barrens Credit Handbook.

If there is a mortgage or other lien on this parcel, the applicant will have to make an arrangement with the lender or other party holding the lien before the Clearinghouse can issue a Pine Barrens Credit Certificate for this tax map parcel.

Appealing your Allocation

Any person who is aggrieved by this determination may appeal the allocation within thirty (30) days of the date of this letter by giving notice, in writing, to the Central Pine Barrens Joint Planning and Policy Commission. The Commission address is P.O. Box 587, 3525 Sunrise Highway, 2nd Floor, Great River, New York 11739-0587. Included with this notice shall be the name and address of the person requesting reconsideration and the reasons supporting the appeal as well as the number of Pine Barrens Credits requested. The Commission shall consider and decide the appeal within sixty (60) days of receipt of an appeal and will schedule a public hearing on the appeal.

**PINE BARRENS CREDIT LETTER OF INTERPRETATION APPLICATION
STAFF REPORT**

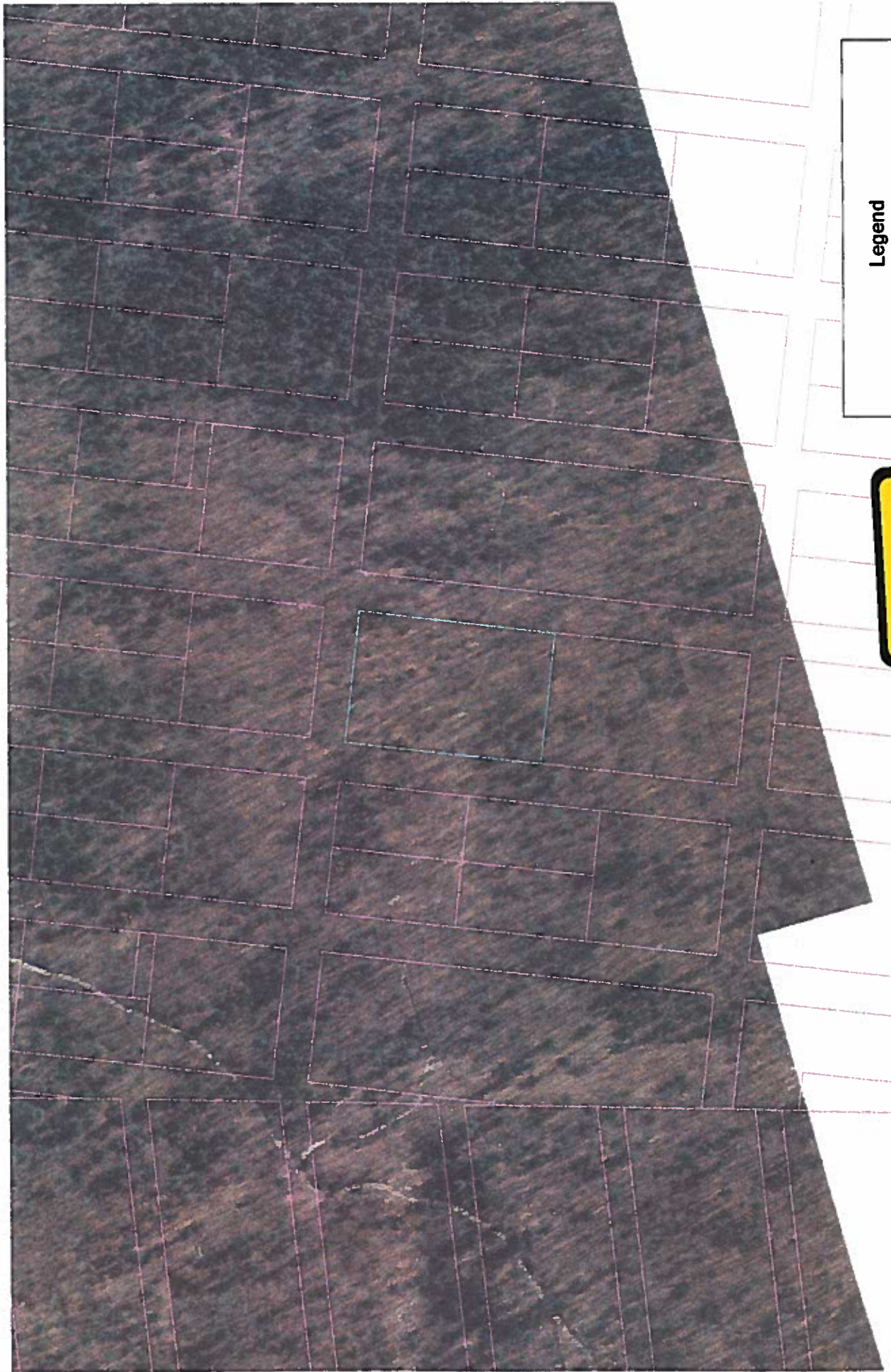
Issue Date: 10/19/01

Item	Tax Map Number
	200-511-5-77, 100, 101, 102, 104,106
Applicant Name	John McDonnell
Location/Access	Lot 77 is located on south side of 14th St, Lots 100,101, 102 & 104 are located on Monroe Ave, and Lot 106 is located on the south side of 13 th St. All lots are on unimproved paper roads, north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	Lot 77 is 1.08 acres, Lot 100 is .23 acres, Lot 101 is .06 acres, Lot 102 is .17 acres Lot 104 is .92 acres and Lot 106 is .46 acres as per tax bills. Total 1.84 acres.
Topography/Geologic Features	Rolling, morainal topography, approximately 200' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Generally, PIC (Plymouth loamy sand 8-15% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None as per NYS DEC map, April 1995.
Vegetative Cover Type	Pitch pine - oak forest
Rare and Endangered Species	None as per NYS DEC map of Natural Heritage Data, April 1995.
Cultural Resources	Not available at this time
Land Use	All parcels are 311 Residential Vacant Land as per tax map database.
Zoning	All parcels are zoned A5 Residence. Minimum lot area 200,000 square feet. (Town Zoning Map Sheet No. 10)
School District	Eastport as per tax bills.
Public Water	No
Public Sewer	No
Fire/Police District	Eastport as per tax bills.

EXHIBIT
Comm. 3
SR 1/9/02



S.C.T.M. # 200-511-5-77



Legend

 Subject Parcel
 Brookhaven Tax Map Parcels

EXHIBIT
 Comm 5
 SP 1/9/02



Map printed on 1/9/02
 by Mark H. Rizzo,
 Commission Staff



S.C.T.M. # 200 - 511 - 5 - 77



Map printed on 1/9/02
by Mark H. Rizzo,
Commission Staff

400 0 400 800 Feet





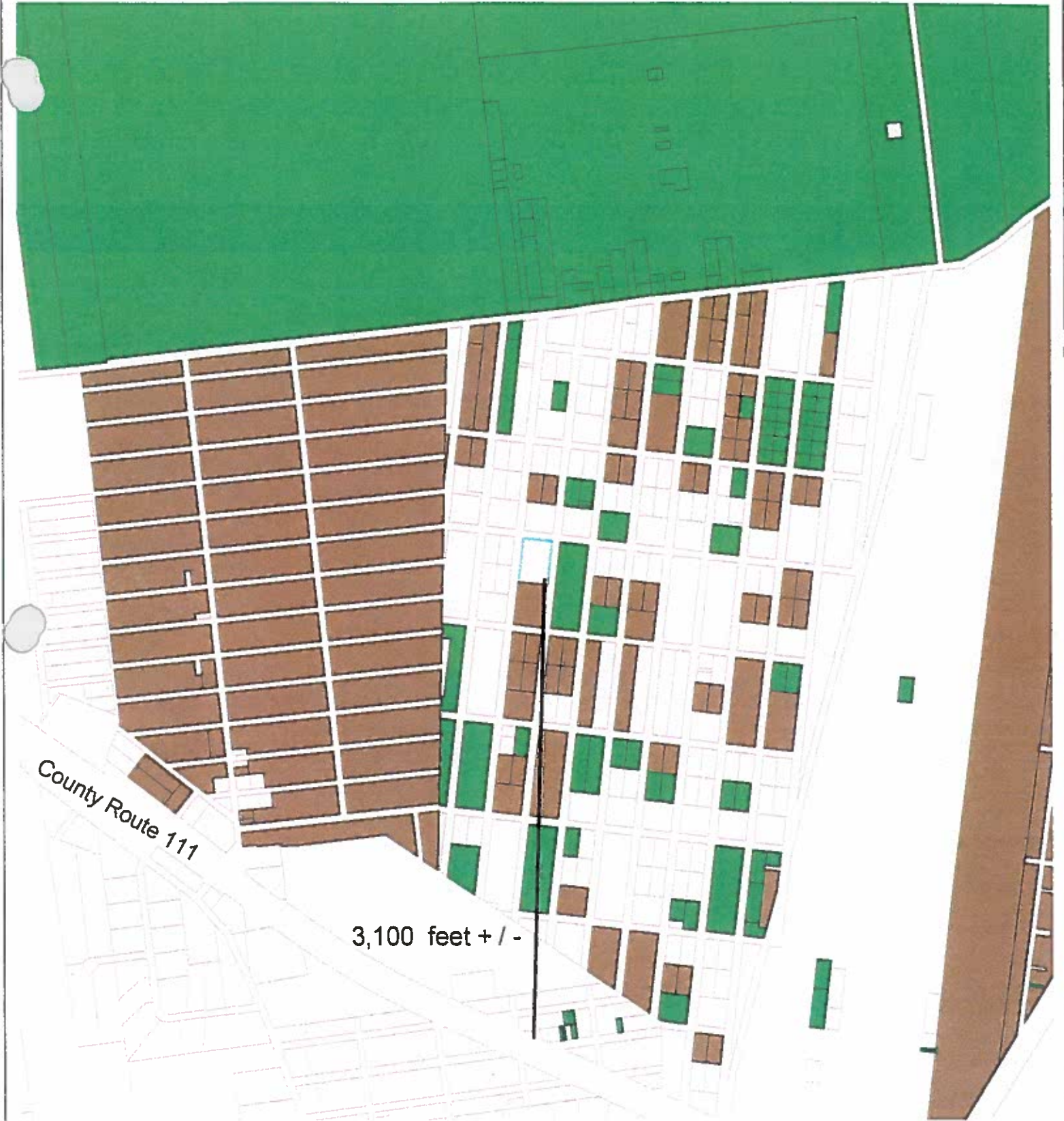
Legend	
	Subject Parcel
	Subsequent Tax Map Parcels

EXHIBIT
Comm. 6
CR 10/10/02



S.C.T.M. # 200 - 511 - 5 - 77



County Route 111

3,100 feet +/-

700 0 700 1400 Feet

Map printed on 1/9/02
by Mark H. Rizzo,
Commission Staff



Legend





-  Subject Parcel
-  State of New York Parcels
-  Suffolk County Parcels
-  Brookhaven Tax Map Parcels

EXHIBIT
Comm 7
1/9/02 SR

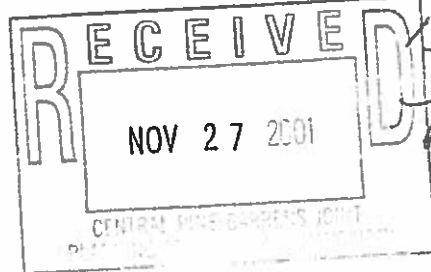
Nov 12, 2001

Dear Sir

I believe the number of credits on my land should be much higher. My land is in an area where homes are already built on one acre, or less of land. I have 1.08 acres of land. for over twenty five years. I have been paying taxes on this land, and was denied the right to build my family a home on it

Thank you

Patricia McDonnell
% Green



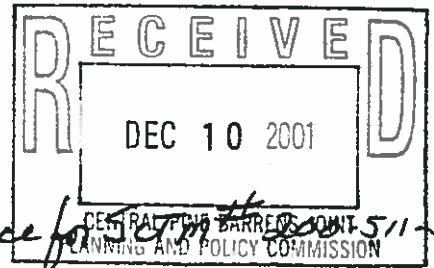
15516 Morning Dr
Ft. FI 33559



Patricia McDonnell
c/o GREEN

Nov 30 2001

15516 Morning Rd
Lutz Fl 33559

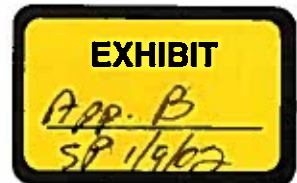


Re Correspondence for ~~15516 Morning Rd~~ 5-11-5-7;

Dear Sir

I am sorry if my letter of Nov 12 2001 was not clear enough. I am appealing your determination on the number of credits, on my land, and believe they should be much higher. I would also like to put my land up for sale, after a fair number of credits has been given, at a fair price. I hope this letter is clear

Thank you
Patricia McDonnell



Patricia McDonnell

c/o Green
15516 Morning Drive
Lutz, FL 33559

Mark H. Rizzo
Central Pine Barrens

Via Fax

Dear Sir:

I received a letter in Florida on January 3, 2002 notifying me that a hearing was being held on January 9, 2002 in New York. Since there is no way I can make this hearing, Mr. Mark H. Rizzo said he would present my letters, and what other information I could send you in time RE: SCTM #200-511-5-77. You gave my land 0.18 credits. I believe I should have one full credit.

The cost of my property to date in taxes alone is over \$8,000 plus with interest and lawyer fees it is well over \$15,000. This year alone taxes are \$501.75. I bought my land from Leeds Real Estate Co., in Ronkonkoma, NY in 1963. I paid Mr. Leeds \$3,000 plus interest and taxes until the land was paid for. In 1972 I had to get a lawyer, because the original land had been sold twice by Suffolk County, once to Mr. Leeds' company and once to a builder. The builder put up homes on it. Since it was Suffolk County's mistake, I was told there was nothing I could do. We got a lawyer, and Mr. Leeds company gave us Eastport property in place of the original. We had a search to prove it was free, and my name could be put on it. So I have been paying on this land since 1963. We tried to put a home on it over fifteen years ago and was told building was being held up by Pine Barrens. Somehow homes were put up by builders on one acre and less in this area. Just a few weeks ago I was told by the tax office that my land in this area has a fair market price of \$43,000 to \$45,000. It has working roads and highways in the area, and the assessed value on my tax bill is \$4,000 more than your 0.18 credits. The tax office refused a tax cut back in 1995, so I have been paying full property taxes on this land. And would like a fair return. I am sending two maps and a letter from the Tax Department.

Thank you.

Sincerely,


Patricia McDonnell

cc: Robert J. Gaffney
Vincent Cannuscio
Ray E. Cowen
Robert F. Kozakiewieg
John Jay LaValle



THE WORD "ARREARS" IS PRINTED BELOW.
 IF THE COUNTY TREASURER'S NOTICE
 THE REVERSE SIDE.

BROOKHAVEN TOWN STATEMENT OF TAXES

ITEM NUMBER
 50 44790 4

DECEMBER 1, 2001 TO NOVEMBER 30, 2002 TAX LEVY
 TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK
 TAXABLE STATUS DATE MARCH 1, 2001
 TAXES BECOME A LIEN DECEMBER 1, 2001

FUNDS PAYABLE TO:
EVANGE A. DAVIS
 RECEIVER OF TAXES
 10 EAST MAIN STREET
 EAST JEFFERSON, NEW YORK 11777

OFFICE PAYMENT HOURS
 MON. TO FRI. 9 A.M. to 4:00 P.M.
 PHONE 631-473-0236
IMPORTANT
 FOR SCHOOL INQUIRIES CALL:

IF PROPERTY HAS BEEN SOLD OR
 TRANSFERRED AFTER MARCH 1,
 2001, PLEASE FORWARD THIS
 STATEMENT TO THE NEW OWNER
 OR RETURN TO THIS OFFICE.

4101 DISTRICT 25 SWIS 47361 631 373 3732				EXEMPTION DESCRIPTION	EXEMPT CODE	EXEMPTION VALUE		
DIST	SUFFOLK COUNTY TAX MAP NUMBER	SECT	BLOCK	LOT	DESCRIPTION OF PROPERTY			
2200	511.01	25.00	077.000		ESTPT LANDIMP CO 605 3150 1 TO 12 INC E 37 TO 43 INC			
TYPE	ACREAGE	TAX CODE	ROLL SECTION	BANK AND MORTGAGE NUMBER			BILL NUMBER	LAND ASSESSMENT
A-711	1.03	276	1	-			104,073	240
PHYSICAL ADDRESS				BANK AND MORTGAGE NUMBER		BILL NUMBER	LAND ASSESSMENT	
CALHOUN STPORT				-		104,073	240	
				ASSESSED VALUE		UNIFORM PERCENT	FULL VALUE	
				240		2.2	10,909	

OWNER AS OF TAXABLE STATUS DATE OF RECORD: **MCDONNELL PATRICIA**
 270 GREEN
 15516 MORNING DR
 LUTZ FL 33549

TAX BILLING ADDRESS: **MCDONNELL PATRICIA**
 C/O GREEN
 15516 MORNING DR
 LUTZ FL 33549

LEVY DESCRIPTION	PRIOR YEAR % CHANGE	EXEMPT CODES	TAXABLE VALUE ADJUSTED BY EXEMPTIONS	TAX RATE PER \$100	TAX AMOUNT
SCHOOL DIST - EASTPORT UFSD	16.3		240	149.710	359.30
LIBRARY DIST - EASTPORT PUBLIC	2.3		240	3.293	7.90
CITY OF SUFFOLK	9.3		240	2.805	6.95
CITY OF SUFFOLK - POLICE	12.3		240	24.031	57.79
WATER - OUTSIDE INCORP. VILLAGES	- .1		240	4.724	11.34
SEWER - OUTSIDE INCORPORATED VILLAGES	.1		240	3.436	20.37
WATER AIR BOND ACT	195.4		240	3.339	2.01
SCHOOL DIST - EASTPORT	-3.5		240	3.589	8.61
FIGHTING DISTRICT	14.7		240	1.457	3.50
BLANCE DIST - EAST PORT / EAST MORIC	16.3		240	6.610	13.86
LOCAL PROPERTY TAX LAW - ART. 7	-4.1		240	1.208	2.90
LOCAL PROPERTY TAX LAW	13.2		240	2.173	5.22

FIRST HALF TAX	250.38	SECOND HALF TAX	250.87	TOTAL TAX	501.75
<small>DEER 1, 2001 PAYABLE WITHOUT PENALTY TO MAY 31, 2002. SEE REVERSE SIDE FOR SCHEDULE AND COUNTY TRFAS. REGS. NOT BE</small>		<small>DUE DECEMBER 1, 2001. PAYABLE WITHOUT PENALTY TO MAY 31, 2002. SEE REVERSE SIDE FOR PENALTY SCHEDULE AND COUNTY TRFAS. REGS. NOT BE</small>		<small>THIS TOTAL TAX MAY BE PAID IN ONE OR TWO INSTALLMENTS</small>	

EXHIBIT
App.D
SP 1/9/02

PATRICIA MCDONNELL

TOWN OF BROOKHAVEN

BOARD OF ASSESSMENT REVIEW

3233 ROUTE 112 MEDFORD, N.Y. 11763 516-451-6300

DETERMINATION OF BOARD OF ASSESSMENT REVIEW

THIS NOTICE IS SENT IN COMPLIANCE WITH SECTION 1524 OF THE REAL PROPERTY TAX LAW.

MCDONNELL PATRICIA
C/O GREEN
15516 MORNING DR
LUTZ

FL 33549

ITEM NO. 50-44780

SWIS CODE 472289

SUFFOLK COUNTY TAX MAP NO. 0200-511.00-05.00-077.000

PARCEL LOCATION CALHOUN AVE 11941

PLEASE BE ADVISED THAT A REVIEW HAS BEEN MADE OF YOUR GRIEVANCE APPLICATION. THE DECISION OF THE BOARD OF ASSESSMENT REVIEW IS AS FOLLOWS

TAX YEAR 1995-1996 TENTATIVE ASSESSMENT 240

() NO CHANGE () DECREASE () INCREASE

A CHANGE IN YOUR ASSESSED VALUATION CANNOT BE GRANTED AT THIS TIME FOR THE FOLLOWING REASON

- 1. () DID NOT SUBMIT SUFFICIENT INFORMATION FOR THE BOARD TO MAKE A DETERMINATION.
- 2. () DID NOT ADEQUATELY PROVE MARKET VALUE CLAIMED.
- 3. () A REQUEST BY THE BOARD FOR ADDITIONAL INFORMATION WAS NOT ANSWERED.
- 4. () PRESENT ASSESSMENT REFLECTS CURRENT MARKET VALUE.
- 5. () THIS ITEM NUMBER OR THE TAX MAP NUMBER OR THE DESCRIPTION DOES NOT IDENTIFY PROPERTY ON THE CURRENT ASSESSMENT ROLL.

IF YOU ARE DISSATISFIED WITH THE DETERMINATION OF THE BOARD OF ASSESSMENT REVIEW, YOU MAY SEEK JUDICIAL REVIEW OF YOUR ASSESSMENT PURSUANT TO ARTICLE SEVEN OF THE REAL PROPERTY TAX LAW. IF YOU ARE THE OWNER OF A ONE, TWO OR THREE FAMILY RESIDENTIAL STRUCTURE AND RESIDE AT SUCH RESIDENCE, YOU MAY SEEK SMALL CLAIMS ASSESSMENT REVIEW PURSUANT TO TITLE ONE-A OF ARTICLE 7 OF THE REAL PROPERTY TAX LAW. PETITIONS FOR JUDICIAL REVIEW MUST BE FILED WITHIN 30 DAYS AFTER THE FILING OF THE FINAL ASSESSMENT ROLL. AN ASSESSMENT ROLL IS NOT CONSIDERED FINAL OR COMPLETED UNTIL THE LAST DAY SET BY LAW FOR THE FILING OF SUCH ASSESSMENT ROLL OR UNTIL NOTICE OF SUCH FILING IS PUBLISHED, WHICHEVER, IS LATER. SMALL CLAIMS ASSESSMENT REVIEW PETITIONS MAY BE OBTAINED AT COUNTY CLERKS OFFICE, RIVERHEAD, 516-852-2000.

VERY TRULY YOURS,
BOARD OF ASSESSMENT REVIEW

EXHIBIT
APP. E
58 1/9/02

TOWN OF BROOKLYN PATRICIA McDONNELL

FACTORY LAND & IMPROVEMENT COMPANY MAY 605.

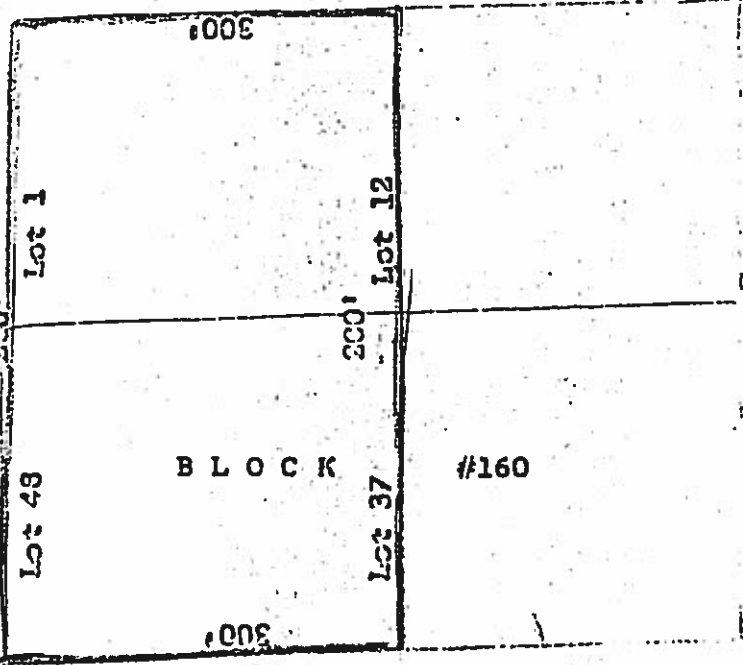
Block #160
Lots 1 to 12 Inc. & 37 to 49 inc. Total of 24 Lots (25' x 100' Each) 200' x 300'

HOT WATER STREET (dirt road)

Approx. 1400'

CUSHING AVENUE (Paper Street)

14TH STREET (Paper Street)



CALHOUN AVENUE (Paper Street)

Approx. 1500'

TOPPING PATH (dirt road)

10TH STREET (Paper Street)

CARROLL (Morgan Manor Road)

EXHIBIT
App F
SP 1/9/07

EXHIBIT
APP-6
SP 1/9/02

PATRICK McDONNELL



CC-85 87087 28-80-5

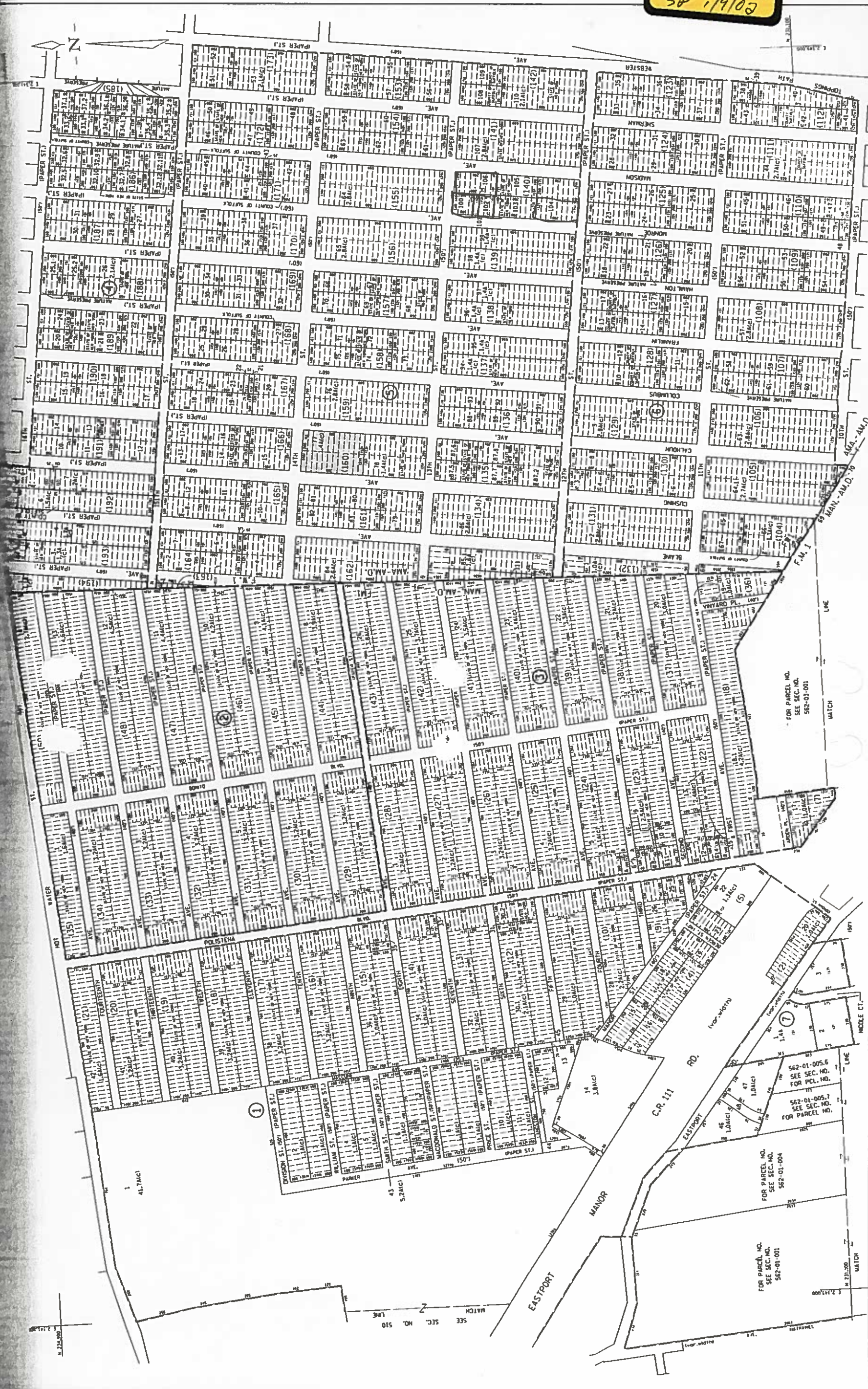
EXHIBIT
Comm. of
SP 1/9/02

510.10

MAINTAINED BY THE COUNTY OF SUFFOLK
 COUNTY CLERK
 BROOKHAVEN, N.Y. 11703

MAINTAINED BY THE COUNTY OF SUFFOLK
 COUNTY CLERK
 BROOKHAVEN, N.Y. 11703

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50



SECTION NO 511
TOWN OF BROOKHAVEN
VILLAGE OF
DISTRICT NO 0200
PROPERTY MAP

KEY
 M A P
 SCALE IN FEET

COUNTY OF SUFFOLK
 Real Property Tax Service Agency
 County Center, Riverhead, N.Y. 11901

NOTICE
 MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION OF ANY PORTION OF THE SUFFOLK COUNTY TAX MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION OF THE REAL PROPERTY TAX SERVICE AGENCY.

FOR PARCEL NO. SEE SEC. NO. 562-01-001

FOR PARCEL NO. SEE SEC. NO. 562-01-004

FOR PARCEL NO. SEE SEC. NO. 562-01-005.6 FOR PCL. NO.

FOR PARCEL NO. SEE SEC. NO. 562-01-005.7 FOR PCL. NO.

LEGEND

Property of the State	---
County of Suffolk	---
Section Line	---
Block Line	---
Lot Line	---
Street	---
Water	---
Marsh	---
Other	---

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