

PINE BARRENS CREDIT CLEARINGHOUSE

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

Clearinghouse Agenda (FINAL) for January 29, 1996, 9:00 A.M. SCWA Technical Services Building, Great River

1. Administrative

- Public comment period
- Adoption of December meeting minutes (*previously distributed*)
- Retention of James Nicholas, Ph.D. as economic consultant
- *Pine Barrens Credit Registry*

2. Pine Barrens Credit Program Capitalization Funds

- Comments of John Cochrane, Suffolk County Treasurer
- Capitalization Funds Update

3. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretations

- Summary of Clearinghouse applications (*to be distributed*)
- Issuance of Letters based on staff reports (*to be distributed*)

B. Pine Barrens Credit Certificates

- Nicholas Aliano

C. Title Insurance Issues

- Report from Counsel

D. Grievance Procedures

- Expressway 60 Patent and Bernard Meyer Letters of Interpretation

4. Executive Session (*if needed*)

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
CHARLES K. STEIN, *VICE CHAIRMAN*
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JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Pine Barrens Credit Clearinghouse Board of Advisors

Meeting Summary for January 29, 1996 (FINAL) Central Pine Barrens Joint Planning and Policy Commission Office Great River, New York 9:30 a.m.

Present: Board members included Mr. Tripp (representing Brookhaven), Mr. Duffy (representing Southhampton), Mr. Hanley (representing Riverhead), Mr. Pally (representing New York State). Also in attendance were Mr. Rigano, General Counsel to the Commission, Mr. Corwin, Executive Director to the Commission, Staff members Ms. Trezza, Mr. Hopkins, Mr. Milazzo, Ms. Plunkett, and Mr. Spitz. Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order by Mr. Tripp at 9:45 a.m.

1. Administrative

- Public Comment period:
At this time there were no public comments.
- Adoption of December meeting summary:

A motion was made by Mr. Duffy and seconded by Mr. Hanley to adopt the meeting summary of December 19, 1995. The motion was approved unanimously.

- Retention of James Nicholas, Ph.D. as Economic consultant
Summary: Mr. Milazzo stated that a resolution was passed at the January 24, 1996 Commission meeting accepting Dr. Nicholas as the Economic consultant for determining the market value of PBC's. Mr. Tripp re-emphasized his desire that the report prepared by Dr. Nicholas be broadly reviewed in order to strengthen its content.
- Handbook Distribution
Summary: To date all but approximately 100 handbooks have been mailed out, the

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

remaining will be mailed by the end of the business day.

- Pine Barrens Credit Registry
Summary: Mr. Milazzo went over contents of the PBC Registry mentioning that a new category will be added for landowners with no formal application to the Clearinghouse but would like to be listed as a seller of credits.

A motion was made by Mr. Pally and seconded by Mr. Duffy to approve the PBC Registry. The motion was approved unanimously.

- Additional PBC Seminar
LIBI and the LI Farm Bureau will be holding a seminar on the PBC Program on March 5, 1996 from 4:00 p.m. to 6:00 p.m. at the LIA in Commack. This event is to be confirmed at a future date. Commission staff will be giving presentations on the PBC Program

2. PBC Program Capitalization Funds

- Capitalization Funds Update and Comments of John Cochrane, Suffolk County Treasurer
Summary: General Raines from John Cochrane's office handed out and went over the monthly financial report for December '95. He also went through the investments that the County has entered into, stating that the investments are staggered so that an account is maturing every 30 days. The board at this point asked if longer term investments could be made with the bulk of the money. This issue will be researched and the available options detailed.

3. PBC Clearinghouse Applications

- Summary of Clearinghouse Applications
Summary: Messrs. Hopkins and Milazzo gave a brief overview of the applications for Letters of Interpretation received by the Clearinghouse to date. Staff reports and work sheets for all applications were distributed to Clearinghouse members. The Board members voted on a series of resolutions following the summary that was given by staff members.

Parviz Zarabi, Mansour Baradaran, Morad Malkiel, M. Baravarian: Staff provided an overview of the 17 separate applications owned by the applicants. It was the recommendation of staff to allocate 2.33 credits

A motion was made by Mr. Pally and seconded by Mr. Duffy to approve the 2.33 credit allocation on the above mentioned applications. The motion was approved unanimously.

Norman Rossner: Staff reviewed the application for this 0.23 acre parcel in an A Residence 5 zoned area of the Town of Brookhaven.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to approve the 0.1 credit allocation on the Norman Rossner application. The motion was approved unanimously.

Olin Warner: This application involves three parcels in a recreationally zoned district, which allows residential lots at 20,000 minimum. The parcel sizes are 0.65 acres, 0.24 acres and 29.73 acres. The 29.73 acre parcel has three existing barns of which some are being used to house horses. The property also contains an existing residence. At this time a motion was made to table this issue until staff can do a site visit.

A motion was made by Mr. Pally and seconded by Mr. Duffy to table the allocation of credits on the 29.73 acre parcel until staff can do a site visit and report back to the board. The motion was approved unanimously.

Mr. Pally suggested that the applicant meet with the Board of Advisors or staff to discuss the options that the applicant has available to him as far as the above mentioned parcels are concerned. There was some discussion on existing uses (barns) of this property. A motion was entertained at this time to table the other two applications until the applicant and the board and or staff can meet to discuss these parcels. This issue will be discussed at the next meeting.

A motion was made by Mr. Pally and seconded by Mr. Duffy to table the allocation of credits on the 0.65 and 0.24 acre parcels. The motion was approved unanimously.

Emanuel and Phyliss Parilla: This application involves four parcels in a CR200 zoned district. The parcels sizes are 0.52 acres, 0.69 acres, 0.69 acres, and 0.69 acres in the Town of Southampton. These parcels are located in an overlay which prevents staff from performing a staff visit because their exact location cannot be ascertained without a title report. A staff visit will be performed when the location is confirmed.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to approve the allocation of 0.46 credits using the allocation formula that was adopted by Southampton's Town Board. A site inspection will be required because the parcel is in an overlay district and if the allocation formula changes before the PBC Certificate is issued what ever formula has been adopted at that time will be used. The motion was approved unanimously.

Edwin Tuccio: This application involves a 404.632 acre parcel in a Light Industry 200 zoned district. The parcel is also located in an ecologically sensitive area (Dwarf Pine Plains). A hardship exemption that was granted previously is located on a part of this parcel. It was suggested by Mr. Tripp that a member of the

Ecology Committee attend the next Clearinghouse meeting to discuss this issue. The allocation formula that Southampton Town adopted for non-residential properties is 2 credits per acre. A detailed discussion on the allocation of non-residential credit allocation ensued .

A motion was made by Mr. Duffy and seconded by Mr. Hanley to table the Tuccio application until the next meeting. The motion was approved unanimously.

1001 Middle Country Road Handling Company: This application involves a 2.53 acre parcel in a J4 Business zoned district. Improvements have been made to the property previously. The applicant is seeking to receive credits for the remainder of the parcel. The application that was sent in included 3 separate tax map numbers but the deed lists it as one parcel. This issue will be researched by staff. Presently there is no allocation formula that has been adopted for non-residential credits in Brookhaven Town. A discussion ensued.

A motion was made by Mr. Pally and seconded by Mr. Duffy to table this application until credits can be allocated to non-residential properties in Brookhaven Town. The motion was approved unanimously.

- Pine Barrens Credit Certificates

Nicholas Aliano: *Mr Milazzo went over the specifics of the Nicholas Aliano application explaining that the parcel is 101.8 acres, but only 8.15 acres will be sterilized. This is being done because the applicant only needs 3.26 Pine Barrens Credits at this time. A boundary description will be required to be registered with the Suffolk County Clerks office since only a portion of the parcel is being used for this application. Mr. Hanley stated that as far as he could see no judgement search was done and should be for future applications. This is the first Pine Barrens Credit Certificate to be approved.*

A motion was made by Mr. Duffy and seconded by Mr. Pally to approve 3.26 credits on the Nicholas Aliano application and issue a Pine Barrens Credit Certificate . The motion was approved unanimously.

- Title Insurance Issues

Summary: Mr. Rigano went over issues regarding Title insurance. He stated that it is critical that a title report is done before a Pine Barrens Credit Certificate is issued. A title report will be required in the future before a certificate is issued. Mr. Rigano also stated that larger parcels should be required to have title insurance. The amount of insurance that is required should coincide with the amount that the Clearinghouse would pay for the credits that would be issued. A discussion of title insurance and title reports ensued.

- **Grievance Procedures**

Summary: Mr. Milazzo reviewed the application of Expressway 60 Patent and Bernard Meyer. He stated that 44 letters of interpretation were sent. Of the letters sent, seven letters were for the credit allocation of one credit per parcel since they are roadfront parcels. The remaining 37 parcels were allocated 0.1 credits each because they are interior lots. Mr. Sanderman is appealing the allocation of 0.1 credits for the 37 parcels stating that they are buildable and should be allocated a full credit each. A hearing will be held to decide this issue at the next meeting which is on February 28, 1996.

A motion was made by Mr. Pally and seconded by Mr. Duffy to schedule the next Board of Advisors meeting and hold a public hearing on the appeal of the credit allocation of the Expressway Patent 60 and Bernard Meyer application. The hearing will take place on February 28, 1996 at 3:30 p.m. at the Commission Office in Great River. The motion was approved unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Pally to schedule a meeting of the Board of Advisors on March 26, 1996 at the Commission Office in Great River at 4:00 p.m. The motion was approved unanimously.

Mr. Tripp suggested that the Commission and the Board of Advisors have a joint meeting in March to discuss the draft report from the Economic consultant which should be completed around that time. A tentative date of March 13, 1996 was suggested. Mr. Corwin will bring it up as an agenda item at the next Commission meeting.

A motion was made by Mr. Duffy and seconded by Mr. Pally enter executive session. The motion was approved unanimously.

DATE/TIME:

MEETING FOR:
PBC Bank meeting

LOCATION: Great River

DATE/TIME: 1/29/96 9:00am

[illegible]

PINE BARRENS CREDIT CLEARINGHOUSE

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

MEMORANDUM

TO: Pine Barrens Credit Clearinghouse Board of Advisors
FROM: James T.B. Tripp, Chairman
RE: Use of Clearinghouse Capital Funds
DATE: February 26, 1996

 While Jim Nicholas is working on his draft report, we need to think about various policy issues that could govern how we intend to use the Clearinghouse's limited capital fund most effectively.

Since the three Towns have three different PBC programs, we can expect that the likely range of values of PBCs based on sales data from the receiving areas in the three Towns will not be the same. Thus, if the Clearinghouse offers some specific floor price, it may not be the same in the three Towns. Once we receive Dr. Nicholas' report, we will need to think about what kind of an offer we should make in each of the three Towns.

Beyond that, at least two other questions come up given the fact that the Clearinghouse's capital is limited. First, the three Towns may be sensitive to the distribution of the Clearinghouse's funds in each of the three Towns. The Town of Brookhaven, among others, has specifically raised this concern. One way of approaching that issue would be to set a cap as to what portion of any funds that the Clearinghouse intends to make available in any given time could be expended in each of the three Towns. Thus, might make was in fact somewhat more generous to core area property owners in one Town than the other two, the other two Towns would know that the cap would limit the use of Clearinghouse funds in the first Town. How would such a cap be set? One proposal would be that each Town's proportional share would be a function of the number of privately-owned acres in the core area in that Town.

Another issue is whether the Clearinghouse should consider adopting criteria that would favor smaller property owners relative to larger property owners. At least two reasons could be presented for this. County and State acquisition programs tend to steer acquisition funds towards larger parcels given the difficulties of negotiating the purchase of large numbers of small parcels and survey issues. Another is that small property owners may have a relative disadvantage in the PBC marketplace and may be more inclined to look to the Clearinghouse as a purchaser rather than waiting for the development of a robust private market.

I would suggest that we begin preliminary consideration of these issues on Wednesday. If there are other factors that we should consider in fashioning an overall policy for the Clearinghouse, let's bring them up on February 28th.

PINE BARRENS CREDIT CLEARINGHOUSE

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

Clearinghouse Agenda (FINAL) for February 28, 1996, 3:00 P.M. SCWA Technical Services Building, Great River

1. Administrative

- Public comment period
- Adoption of January meeting minutes (*previously distributed*)
- Change in Suffolk County Representative to Clearinghouse
- Appointment of new Vice Chairman
- Credit value range estimation: status of work
- Joint Clearinghouse - Commission meeting re draft report: possible scheduling
- *Pine Barrens Credit Registry*: first issue, distribution procedure solicitation approaches
- Proposed N.Y.S. Legislation to create Pine Barrens Clearinghouse

2. Pine Barrens Credit Program Capitalization Funds

- Comments of John Cochrane, Suffolk County Treasurer
- Capitalization Funds Update
- Discussion of Mr. Tripp's memo concerning use of funds (*previously distributed*)

3. Public Hearing

- Letter Of Interpretation Grievance Hearings
 1. Bernard Meyer
 2. Expressway 60 Patent

4. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretations

- Summary of Clearinghouse applications (*to be distributed*)
- Issuance of Letters based on staff reports (*to be distributed*)

B. Title Insurance Issues

- Report from Counsel, Title Experts

5. Executive Session (*if needed*)

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
ALLAN D. GRECCO, ESQ., *MEMBER*
ROBERT J. DUFFY, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Pine Barrens Credit Clearinghouse Board of Advisors

Meeting Summary for February 28, 1996 (FINAL) Central Pine Barrens Joint Planning and Policy Commission Office Great River, New York 9:30 a.m.

***Present:** Board members included Mr. Tripp (representing Brookhaven), Mr. Duffy (representing Southampton), Mr. Hanley (representing Riverhead), Mr. Pally (representing New York State), Mr. Grecco (representing Suffolk County). Also in attendance were Mr. Rigano, General Counsel to the Commission, Mr. Corwin, Executive Director to the Commission, Staff members Ms. Trezza, Mr. Hopkins, Mr. Milazzo, Ms. Plunkett, and Mr. Spitz. Additional attendees are shown on the attached sign-in sheet.*

The meeting was called to order by Mr. Tripp at 9:45 a.m.

1. Administrative

- Public Comment period:
At this time there were no public comments.
- Adoption of January meeting summary:

A motion was made by Mr. Pally and seconded by Mr. Duffy to adopt the meeting summary of January 29, 1996 as amended. The motion was approved unanimously.

- Change in Suffolk County Representative to Clearinghouse:
Summary: Mr. Allan Grecco was appointed to replace Charles Stein as the Suffolk County representative on the Clearinghouse Board of Advisors.
- Appointment of new Vice Chairman
Summary: Mr. Tripp stated that pursuant to the Plan the Commission appointed the Vice Chairman. They should again exercise this power to appoint a new Vice Chair to replace Mr. Stein.

- **Pine Barrens Credit Registry**
Summary: Mr. Milazzo stated that the first issue of the Pine Barrens Credit registry was mailed out. This registry will be updated and mailed out on a regular basis. At this time the PBC Program seminar being hosted by the LIA was mentioned. The seminar will be held on March 5, 1996 between the hours of 4:00 p.m.-6:00 p.m.
- **Credit value range estimation: status of work**
Summary: An incomplete draft report has been received from Dr. Nicholas. The report looked solely at as of right residential receiving areas, and not non-residential uses. Mr. Tripp felt very strongly that the report should be released as soon as possible for constructive comments and would like the Commission to vote to endorse the release of the draft report. Mr. Duffy discussed that he would like Southampton's Town Board to review the report before its release. Mr. Proios stated that he would contact Commission members so that they would be ready to vote on the release of the draft report at the March 6, 1996 meeting. A question was raised on the format of getting the comments to Dr. Nicholas. It was decided that all written comments should be sent to Mr. Milazzo by March 15, 1996, who will then forward them to Dr. Nicholas to be incorporated in the report.
- **Joint Clearinghouse-Commission Meeting regarding the draft report: possible scheduling**
Summary: Mr. Corwin discussed that the draft report is not a draft but the beginning of the report. He mentioned that the next two Commission meetings are being held on March 6, 199 and March 20, 1996 and that the meeting of March 20, 1996 would be preferred. Dr. Nicholas will be asked to attend and give a presentation at the March 20, 1996 meeting.

A motion was made by Mr. Pally and seconded by Mr. Duffy to hold a joint meeting with the Commission and Dr. Nicholas to review the draft economic report. The motion was approved unanimously.

2. PBC Program Capitalization Funds

- **Capitalization Funds Update and Comments of John Cochrane, Suffolk County Treasurer**
Summary: John Cochrane handed out and went over the monthly financial report for January 1996. He also went through the interest bearing investments that the County has entered into. There have been no disbursements to date. Mr. Hanley asked if estimated yield could be added to the monthly financial reports. Mr. Cochrane stated that it could be added to next months report.

At this point the Letter of Interpretation Grievance Hearing started

Allan Grecco stated that he is a principal in the abstract company which performed the single and separate search for the applicants. In addition, Mr. Grecco has had business dealings with Mr. Sanderman in the past although none with Mr. Meyer directly. He would recuse himself from the hearing proceedings if warranted by the other Board members. There was no objection from board members or the applicant for him to hear the matter, so the hearing proceeded. Following the hearing it was stated that further documentation should be received by March 19, 1996 and that the hearing will be continued on March 26, 1996 after which a decision will be rendered. The applicant gave the Board an extension until their next meeting on March 26, 1996 because the decision deadline is on March 23, 1996 and the Board will not be meeting before then.

A motion was made by Mr. Tripp and seconded by Mr. Pally to accept the extension of the appeal decision deadline until March 26, 1996 . The motion was approved unanimously.

3. PBC Clearinghouse Applications

- **Summary of Clearinghouse Applications**

Summary: Messrs. Hopkins and Milazzo gave a brief overview of the applications for Letters of Interpretation received by the Clearinghouse to date. Staff reports and work sheets for all applications were distributed to Clearinghouse members. The Board members voted on a series of resolutions following the summary that was given by staff members.

Olin Warner: This application involves three parcels in a recreational zoned district, which allows residential lots at 20,000 minimum. The parcel sizes are 0.65 acres, 0.24 acres and 29.73 acres. The 29.73 acre parcel has three existing barns of which some are being used to house horses. The property also contains an existing residence. At this time the applicant was present to answer questions dealing with his application that were presented to him by the Board members. After a lengthy discussion of the application, it was stated that the easement would contain language that would address the existing structures.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate 48.01 credits on Olin Warner application. The motion was approved unanimously.

Mr. Tripp discussed a letter sent by Phil Sanderman dealing with non-residential credit allocation. A discussion ensued on non-residential credits. Mr. Hopkins distributed an outline for the preparation of a supplemental EIS that would be done for non-residential credit allocation. He stated that it would take five to six months to complete. Mr. Proios mentioned that Southampton's non-residential allocation formula would be a good place to start. Mr. Duffy stated that a universal formula would simplify things and that Southampton is looking toward creating PDDs to absorb the non-residential credits.

A motion was made by Mr. Pally and seconded by Mr. Duffy to adopt Mr. Hopkins proposal of doing an EIS for non-residential credit usage. The motion was carried unanimously.

Joseph Gazza: This application involves four lots zoned Country Residence 200. Previously, the applicant had sterilized other lots that he owns in the Town of Southampton in order to transfer the development rights from those lots to these lots. This took place prior to the Pine Barrens act. As a result of a discussion, Mr. Gazza will meet with staff to discuss these lots. Staff will then prepare a document detailing the parcels and their history.

- **Letters of Interpretation**
Summary: Staff prepared a document of all non-controversial letters of interpretation for the Board members to vote on. Non-controversial was defined to be a parcel which has a completed application and staff visit revealed no development on site. This document was prepared after the applications were reviewed by staff and site visits were done. (see attached)

A motion was made by Mr. Hanley and seconded by Mr. Grecco to issue Letters of Interpretation (see attached). The motion was approved unanimously.

At this time Mr. Pally and Mr. Duffy left the meeting. As a result there was no quorum.

- **Title Insurance Issues**
Summary: Jean Hamilton from Suffolk County National Bank addressed the Board on the issue of title insurance. Ms. Hamilton gave an overview of the specifics and importance of using title insurance in the Pine Barrens Credit Program. It was stated that title insurance protects everyone involved in the process and would be worth requiring the applicants to obtain. Mr. Grecco stated that this should be done on a case by case basis. A few landowners discussed the fact that the fees involved with obtaining title insurance may be unfair to small land owners.

Central Pine Barrens Clearinghouse
Recommended Letters of Interpretation
February 28, 1996

<i>Applicant</i>	<i>Tax Map Parcel</i>	<i>Acreage</i>	<i>Zoning Class</i>	<i>Gross Allocation</i>	<i>Proposed Allocation</i>
Jagel Family Associates	200-382-2-14	9.9	A1	7.92	7.92
Jagel Family Associates	200-383-1-9	0.72	A1 (ownership Q)	0.576	.58
Jagel Family Associates	200-408-1-4	54.0	A5	8.64	8.64
Regina Jagel	200-408-1-10	2.25	A1	1.8	1.8
Jagel Family Associates	200-408-1-11	62.70	A5	10.032	10.03
Raymond Plante	200-412-3-20	0.30	A5	0.048	0.10
Pasquale Izzo*	200-511-3-12	0.6	A5	0.096	0.10
Josephine LaSorta	200-511-6-15	0.72	A5	0.1152	0.12
Ruth Simon	200-511-6-48	0.09	A5	0.0144	0.10
George Nicholson	200-562-4-12	0.36	A5	0.0576	0.10
George Nicholson	200-562-4-13	0.36	A5	0.0576	0.10
A. Rabinowitz	900-195.2-2-3	0.72	CR200	0.1296	0.13
A. Rabinowitz	900-195.2-2-4	0.91	CR200	0.1638	0.16
A. Rabinowitz	900-195.2-2-6	0.72	CR200	0.1296	0.13
A. Rabinowitz	900-195.2-2-7	0.71	CR200	0.1278	0.13
Morris Abramson	900-212-2-15	.06	CR200	0.0108	0.10
Morris Abramson	900-212-2-21	.06	CR200	0.0108	0.10
Morris Abramson	900-212-5-8	.06	CR200	0.0108	0.10
Joseph Frederick Gazza	900-215.2-1-28	1.33	CR200	0.2394	0.24
Ignatzio Barbera	900-235-1-14	.46	CR200	0.0828	0.10
Joseph Frederick Gazza	900-238-2-4	17.03	CR200	3.0654	3.07
Joseph Frederick Gazza*	900-247-1-4.1	6.57	CR200	1.826	1.83

Joseph Frederick Gazza	900-280-2-51	0.28	CR200	0.0504	0.10
Joseph Frederick Gazza	900-280-2-53	0.05	CR200	0.0009	0.10
Joseph Frederick Gazza	900-280-2-55	0.05	CR200	0.0009	0.10
Joseph Frederick Gazza	900-280-2-61	0.25	CR200	0.045	0.10
Joseph Frederick Gazza	900-304-3-1	35.93	CR200	6.4674	6.47
Lewis Maher	900-306-2-29	0.96	CR200	0.1728	0.17
Ken Ruby*	900-306-4-1	0.23	CR200	0.0414	0.10
Molly Ann Gazza	900-334-1-21	9.92	CR200	1.7856	1.79

* Applications to be reviewed at next Clearinghouse meeting; No Letters of Interpretations sent

Central Pine Barrens Joint Planning and Policy Commission

MEETING FOR:

PB Clearinghouse Board of Advisors

LOCATION:

Commission Office, Great River

DATE/TIME:

2/28/96 3:00 pm

NAME	REPRESENTING	ADDRESS	TELEPHONE/FAX
<u>J. Kozma</u>	<u>CPBC/SCWA</u>	<u>Sunrise Hwy, Great River</u>	<u>563-0385</u>
<u>ED QUAREMBA</u>	<u>NASSAU</u>	<u>56 PARKVIEW CIRCLE, BETHPAGE</u>	<u>433-8145</u>
<u>Walter & Sharon Olsen</u>	<u>CPR Associates</u>	<u>1139 Flanders Rd. Riverhead</u>	<u>727-5696</u>
<u>DENNIS MORAN</u>	<u>SCDHS</u>	<u>225 Raritan Dr. East, HAUPPAUGE</u>	<u>853-3084</u>
<u>Donna Pinkett</u>	<u>CPBC.</u>		
<u>VI HOY LUND</u>	<u>31 DIETZ</u>	<u>AVE. LAKE GROVE</u>	<u>588-8459</u>
<u>Dick Ryan</u>	<u>RYAN'S COMPANY</u>	<u>P.O. Box 321, Laurel</u>	<u>298-9623</u>
<u>EDWARD J. LEPOM</u>	<u>RENTY REO. Co. Inc</u>	<u>630 MONTAUK HWY W. / SUIP NY.</u>	<u>422-3344</u>
<u>HENRY DITTMER</u>	<u>C. P. R.</u>	<u>P.O. BOX 202, BRIGHTWATERS, NY</u>	<u>665-2020</u>
<u>G. Hendrix</u>	<u>PROPERTY OWNER</u>	<u>BOX 442 NY 1191023</u>	<u>712-559-3648</u>
<u>Terence X Meyer</u>	<u>Expressway 60</u>	<u>28 Manor Rd Smithtown NY 11787</u>	<u>516-265-4500</u>
<u>PHILIP H. SANDERSON</u>	<u>"</u>	<u>1770 MOUNTAIN PKWY HAUPPAUGE NY 11788</u>	<u>232-1712 / 232-1938</u>
<u>Joanne P. Hamilton</u>	<u>SCNB</u>	<u>244 Old Country Rd., Rvd.</u>	<u>(516) 727-7277 x142</u>
<u>B. Wipul</u>		<u>Town / Brookhaven</u>	
<u>JACK HANLEY</u>	<u>RIVERHEAD</u>	<u>322 ROUTE 111, RIVERHEAD</u>	<u>727-0396</u>
<u>ALLAN GRECCO</u>	<u>Co. of Suffolk</u>	<u>Bldg 158 Vets HWY HAUPPAUGE</u>	<u>853-5928</u>
<u>Tim Tripp</u>	<u>Brookhaven</u>	<u>257 Park Ave So NY 10010</u>	<u>212-505-400</u>
<u>R. Duffy</u>	<u>Southampton</u>	<u>116 Hampton Rd 11958</u>	<u>287-5755</u>
<u>Mitchell H. Pally</u>	<u>Governor</u>	<u>80 Hauppauge Rd. Commack</u>	<u>493-3002</u>
<u>Jim Rigano</u>	<u>Clearinghouse</u>	<u>395 N. Service Rd Melville, NY</u>	<u>694-8005</u>
<u>Doris Roth</u>	<u>" "</u>	<u>" "</u>	<u>" "</u>
<u>Ray Commis</u>	<u>CPB Commission</u>		

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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Commission Meeting Summary (FINAL) for March 20, 1996 (Approved 4/17/96) Southaven County Park, Yaphank / 2:00 pm

Present: Mr. Gaffney, Mr. Dragotta and Mr. Proios (for Suffolk County), Mr. Girandola and Ms. Wiplush (for Brookhaven), Ms. Filmanski (for Riverhead), Mr. Cannuscio and Mr. Freleng (for Southampton) and Mr. Cowen (for New York State). General counsel was Ms. Roth. Staff members from the Commission and other agencies included Mr. Corwin, Ms. Trezza, Ms. Plunkett, Mr. Milazzo, Mr. Hopkins (from the Commission), Mr. Spitz (from the NYS Department of Environmental Conservation), Mr. Moran (from the Suffolk County Department of Health Services), Ms. Parker (from the Suffolk County Department of Parks), Mr. Ryan (Brookhaven Town Assessor), and Dr. Nicholas (consultant for the Pine Barrens Credit valuation work). Members of the Clearinghouse present during the joint meeting at 3:00 pm included Mr. Tripp, Mr. Hanley, Mr. Grecco and Mr. Pally. Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order by Mr. Gaffney at approximately 2:24 pm. A five member quorum was present throughout the meeting.

Administrative

- Public comments
Summary: There were no speakers.
- Draft summaries for 2/21 and 3/6 meetings: corrections and approval (faxed)
Summary: Corrections suggested to the 2/21/96 summary included: (1) under "Draft summaries", the next to last sentence should read in part: "... meetings, with the above corrections ..."; (2) under "Gazza / Westhampton", the second paragraph, first sentence should read in part: "... seconded by Mr. Freleng to classify the proposal as an unlisted action and to issue a positive declaration ..."; (3) under "Self Storage of Quogue", the first sentence should read in part: "... this project on the south side ..."; (4) under "Revised SEQRA regulations", the last sentence should read in part "... significant changes to the Type 2 list in the SEQR regulations."; (5) under "non contiguous cluster plans"; the first paragraph, last sentence should read in part: "... significant or sensitive, as undeveloped ..." and the second paragraph, third sentence should read in part "... sending parcels were contiguous"; and (6) under "Golfo site plan", the second paragraph, first sentence should read in part "... application upon the

condition ...".

Corrections suggested to the 3/6/96 summary included: (1) under NY Army National Guard, the third paragraph should begin "The proposed training work has been ..."; (2) under "Prior clearing report in Flanders", the last sentence should read in part: "... required by the town for this site"; (3) under "Aliperti / Shoreham" the first sentence should begin "summarized this application and issued a staff report"; (4) under "Strauss / Middle Island" the first sentence should read, in part: "... summarized this application and issued a staff report ..."; (5) under "Proposed Plan amendments" a new second sentence should be inserted to read: "He also requested that Mr. Hopkins prepare a letter explaining the basis for the present residential allocation formula and how that basis was incorporated into the GEIS."; (6) under Executive Session" (first occurrence), the summary should be rewritten to indicate that there was no adjournment for the public hearing, and to state the name of the application for which a hearing was held; (7) under "Alternative allocations", the next to last sentence should read in part: "... and to state that SEQRA will be addressed as part of this work ..."; (8) under "Attachments", a new item 10 should be added to list the 2/29/96 letter from Mr. Hauptman, and the following items renumbered.

A motion was made by Mr. Cannuscio and seconded by Mr. Girandola to approve the summaries of the 2/21/96 and 3/6/96 meetings with the above changes. The motion was approved by a vote of 5-0.

Core Preservation Area

- Kristiansen / Calverton residence: decision (3/24 deadline)

Summary: Ms. Plunkett summarized and issued the attached staff report for this core area hardship application for a single family residence on a 0.25 acre parcel in an A10 Residence zone on the north side of South River Road, east of Forge Road, in Calverton in Brookhaven Town. The staff report recommends granting the hardship with the condition that the limits of clearing and disturbance be clearly marked in the field and protected.

A motion was made by Mr. Gaffney and seconded by Mr. Cannuscio to approve the Kristiansen / Calverton core area hardship permit exemption application. During the discussion which followed, Mr. Cowen asked whether the project would be grandfathered under the Suffolk County Health Code's Article 6. Ms. Plunkett replied that she believed that the lot was grandfathered under that law (i.e., was shown on the 1980 tax maps), but that the applicant has not yet sought county Health Department approval.

A further discussion ensued on whether to attach conditions regarding the need for state and town wetlands permits and what approach to this has been taken by the Commission in the past. Mr. Cowen noted that the NYS Department of Environmental Conservation would need to consider a permit for this project, and decided that he would abstain from the vote. The motion was then approved by a vote of 4-0-1, with

the abstaining vote cast by to Mr. Cowen.

- **Gazza / Speonk & Westhampton: correspondence**
Summary: The attached two letters from Mr. Gazza (3/10/96) were discussed. They address possible land uses on two parcels which were the subject of recent core area applications by Mr. Gazza and which were denied. It was agreed that a response would be sent stating that future applications may be made for land uses permitted by local zoning, and inviting his participation in the Pine Barrens Credit Program.
- **T & T Waterworks / Westhampton: jurisdiction inquiry**
Summary: Ms. Plunkett distributed a packet describing a proposed water extraction and bottling project. The project, which is not currently an application to the Commission, involves pumping water within the Core Preservation Area in the Westhampton vicinity, transporting it to a Riverhead bottling facility (outside the Central Pine Barrens), and selling it commercially. Mr. Tuthill, a project principal, was present and described the project. He is requesting a decision regarding what jurisdiction, if any, the Commission has over this project.

Issues discussed included the possible use of a Suffolk County Water Authority site in Westhampton for one of the extraction sites, the possible use of the site owned by Mr. Tuccio immediately north of Gabreski Airport, the extent to which the pumping would require clearing and new infrastructure, the reuse or upgrading of existing facilities at these sites, and the applicability of the statute's development and nondevelopment provisions. Mr. Girandola stated that he would like to have counsel clarify issues regarding the withdrawal of pine barrens groundwater, and Mr. Cannuscio concurred.

Mr. Girandola noted that the property owned by Mr. Tuccio is also before the Clearinghouse for a Letter of Interpretation, and raised the question of how this project would relate to residual uses if credits are issued and a conservation easement is placed upon the property. It was agreed that counsel would examine the project.

Compatible Growth Area

- **Albert Clemens / Middle Island: new application; set hearing**
Summary: Ms. Plunkett summarized this application for a minor residential subdivision of an 18,750 square foot parcel into two 9,375 square foot parcels in an A1 Residence zoning district on Pine Cone Street in Middle Island in Brookhaven Town. She stated that the application is complete and a hearing should be scheduled.

A motion was made by Mr. Gaffney and seconded by Mr. Cannuscio to schedule a hearing on the Clemens / Middle Island application on 4/17/96 at 5:00 pm at Southaven County Park. The motion was approved by a vote of 5-0.

PBC Program: Joint Meeting with Clearinghouse Board of Advisors at 3:00 pm

- Convening of joint meeting

Summary: The joint meeting began at approximately 3:26 pm with the four person Board of Advisors quorum listed above. Introductions were made.

- Discussion of Draft PBC Credit Valuation Report (mailed 3/18 for overnight delivery on 3/19)

Summary: Mr. Corwin introduced Dr. Nicholas, who discussed the attached draft report on the valuation of Pine Barrens Credits.

Dr. Nicholas first summarized the source of the data used for the statistical analysis, including the procedures for quality control of data points. Approximately 1200 land sales were utilized in the work. Riverhead's sales were for industrial and commercial land, while the other two towns' sales were exclusively for residential land. Extreme data vales were removed by excluding the highest and lowest 5% of sales on a price per acre basis. Some sales were excluded since they could not be identified by school district. The analysis was performed first for all sales in the area, then separated by school district.

The analysis used multiple regression, with the goal being to determine what the right to add an additional building unit is worth in each receiving area category. Dr. Nicholas discussed the application of this technique elsewhere, including the New Jersey Pinelands. He noted that very high and very low values for this extra building right can always be found, but that these are not the average values. He further noted that the highest value receiving areas should be expected to enter the market first.

He noted that, within Southampton Town, the receiving areas are specific geographic areas, rather than being identified by zoning category. The value of the right to build an extra unit in these areas is constrained by the relatively high density zoning classification already present there. Within Brookhaven Town, the receiving areas are designated by zoning category across the non-core area of the Town (exclusive of certain environmentally sensitive lands), and the right to build an extra unit is worth more since the base zoning density is lower. Within Riverhead Town, the receiving areas are two large industrial commercial zones, and the development increase is measured strictly in terms of wastewater generation increments. He noted that the Riverhead value estimates are based upon a limited sample of land sales in that vicinity. Estimates for these three towns are in the attached draft report.

Dr. Nicholas noted that the Southampton constraint against the transfer of credits between school districts poses an additional limitation on the value estimation process. This led to a brief discussion of school district considerations. The New Jersey approach of a statewide clearinghouse and a bid system for credits was described. The effect of that system on their school districts' absorption of credits was noted.

A discussion followed regarding how the values for credit usage within Southampton Town could increase, and Dr. Nicholas observed that additional receiving areas would accomplish this. He explained that the current zoning density permitted in several of the Southampton areas would be difficult to increase further, unless different types of

construction were permitted. However, he felt that there was not a strong market for attached housing units in this area.

Dr. Nicholas spoke about the New Jersey Pinelands credit bank, and their policy of purchasing rights at 80% of the private market value. He described the New Jersey bank's policy of receiving bids from owners to sell their rights to the bank, and the purchasing of fractional rights by the bank.

The question of quantifying the value of planned development districts was raised. Dr. Nicholas responded that it was not feasible to estimate the value of these initiatives in advance, due to the unpredictability of the factors which would determine those values.

Mr. Cannuscio asked Dr. Nicholas for a recommendation as to what Southampton could do to increase the values of credit usage there, and Dr. Nicholas recommended adding approximately 200 acres of low density zoned land.

Dr. Nicholas remarked that the purposes of a credit clearinghouse should include the protection of sending area owners and the assistance of the private credit market. He observed that developers in New Jersey seem to prefer to purchase credits directly from the clearinghouse. He described the experience of the New Jersey bank with purchases and sales of credits, and the current situation in which credits are normally sold privately. He compared the New Jersey credit program and the Commission's with respect to the government levels involved.

At the conclusion of the presentation and discussion, **a motion was made by Mr. Cowen and seconded by Mr. Gaffney to (1) to release the draft report, (2) to invite written comments on the report from any interested person through the close of business on 4/19/96, (3) to request that the Clearinghouse review the draft report at its 4/23/96 meeting and forward comments to the Commission, (4) to discuss the draft report at the Commission meeting on 5/1/96, (5) to then forward to Dr. Nicholas the final comments upon the draft report for consideration in his production of the final report, and (6) to modify, with the assent granted personally today by Dr. Nicholas, the Commission's contract with him in order to produce a final report within ten (10) days following his receipt of the Commission's final comments. The motion was approved by a vote of 5-0.**

The Clearinghouse meeting was adjourned at approximately 4:53 pm, and the regular Commission meeting continued.

Plan Implementation

- **Plan** amendments: 3/18/96 revision of 12/6/95 document (faxed)
Summary: A discussion was held regarding Section 6.6.2.1 of the amendments, and the question of which entity should establish the monetary value of credits to be purchased by the Clearinghouse. **A motion was made by Mr. Gaffney and seconded by Mr. Cannuscio to reword Section 6.6.2.1 of the proposed Plan amendments**

regarding the authority of the Board of Advisors to now read: "To advise and make recommendations to the Commission as to the monetary value of Pine Barrens Credits to be purchased by the Clearinghouse." The motion was approved by a vote of 5-0.

Core Preservation Area

- Signing of first conservation easement under Pine Barrens Credit Program (not on the original agenda)
Summary: Mr. Gaffney signed the conservation easement for the property owned by Mr. Aliano within the Core Preservation Area, with Ms. Roth as the witness. That parcel is the first to send Pine Barrens Credits under the PBC program.

Mr. Gaffney and Mr. Cannuscio left at this point. The meeting was chaired by Mr. Proios from this point forward. Mr. Freleng remained, representing Mr. Cannuscio, and a five member quorum remained for the rest of the meeting.

Plan Implementation

- Plan amendments: 3/18/96 revision of 12/6/95 document (faxed)
*Summary: Prior to Ms. Roth describing the specific Plan amendments contained in the attached 3/18/96 document, it was suggested that the previous resolution affecting Section 6.6.2.1 be rescinded, and the affected proposed amendment change be included in an overall vote later in the meeting. **A motion was made by Ms. Filmanski and seconded by Mr. Cowen to rescind the previous resolution which altered Section 6.6.2.1 of the proposed Plan amendments. The motion was approved by a vote of 5-0.***

Ms. Roth discussed the attached proposed Plan amendments version of 3/18/96. During that discussion, several changes were agreed upon. Those changes are: (1) the last sentence of Section 4.5.1.5 should read, in part: "... unless such time periods are extended by mutual agreement ..."; (2) the last sentence of Section 4.5.2 should now read, in part: "... nonconformance with guidelines in Volume 1 ..."; (3) in Section 4.5.2.5, the first sentence should read, in part: "... of the application being deemed complete ..."; (4) in Section 4.5.2.6, the last sentence should read, in part: "... unless such time period is extended by mutual agreement ..."; (5) the original Plan Section 6.3.3 should now be shown as deleted under the proposed amendments; (6) in Section 6.6.2.1, the sentence should now begin "To advise and make recommendations to the Commission as to the monetary value of Pine Barrens Credits ..."; and (7) in Section 6.7.3.4, the final sentence should read, in part: "The Commission may confirm, increase, or decrease the allocation ...".

A motion was made by Mr. Cowen and seconded by Mr. Girandola to approve the changes to the proposed Plan amendments discussed above, to schedule a vote on the proposed Plan amendments at the 5/1/96 meeting, to publish a legal notice describing the proposed Plan amendments and stating the intent of the Commission to

vote on them at the 5/1/96 meeting, and to have that notice published at least 30 days prior to the Commission meeting of 5/1/96. The motion was approved by a vote of 5-0.

Executive Session

Summary: A motion was made by Ms. Filmanski to enter into executive session for the purpose of discussing certain legal issues, but there was no second. No executive session was held.

Core Preservation Area

- T & T Waterworks / Westhampton: jurisdiction inquiry

Summary: A discussion ensued regarding the types of permits which would be required for the proposed water extraction and bottling project, and the classification of the project as development or nondevelopment under the pine barrens law. At the conclusion, the staff was directed to forward a letter to the project sponsor stating that the project is deemed to be development under the pine barrens law.

Adjournment

Summary: A motion to adjourn was made by Ms. Filmanski and seconded by Mr. Freleg. It was approved by a vote of 5-0. The meeting ended at approximately 6:30 pm.

Attachments:

1. Speaker Sign-in and Attendance Sheets.
2. Staff report on Kristiansen project (3/20/96)
3. Two letters from Mr. Gazza re recent core applications (3/10/96)
4. Report to the PBC Clearinghouse on Value of Development (3/15/96)
5. Proposed amendments to Plan for discussion at 3/20/96 meeting.

[illegible]

Speaker Sign In Sheet

Meeting Place Southaven Park

[illegible]

3/20/96 ATTACHMENT

2nd Draft
March 15, 1996

A REPORT TO THE
PINE BARRENS CREDIT CLEARINGHOUSE

ON THE VALUE OF DEVELOPMENT WITHIN
THE TOWNS OF BROOKHAVEN, SOUTHAMPTON AND RIVERHEAD

Prepared by

James C. Nicholas, Ph.D.

I. SUMMARY

In order to redistribute development within the Central Pine Barrens, a series of sending and receiving areas have been established within the towns of Brookhaven, Southampton and Riverhead. Sending areas are those areas that development is to be directed away from. Receiving areas are those areas development is being directed towards. Development is to be redirected by the use of transferable development rights. This program will allocate development rights to owners of sending area land. These development rights may be transferred -- sold -- for use in the receiving areas.

In order to estimate the economic value of a development right, it is necessary to look at development values within the three receiving areas. The economic worth of a development right within the receiving areas will establish the value of the transferable rights to sending area property owners.

This report seeks to identify and measure the economic value of increased development on a parcel of land within the receiving areas. These economic values then become the basis for estimating the value of a transferred development right.

The inquiry undertaken analyzes land sales within the three towns; 769 within Brookhaven, 288 within Southampton, and 23 within Riverhead. The economic and statistical analysis of these land transactions resulted in the following estimates of the discounted economic value of transferred development rights:

TOWN	HIGH	LOW
BROOKHAVEN	\$12,000	\$9,000
SOUTHAMPTON	\$9,000	\$3,500
RIVERHEAD	\$12,500	9,000

Handwritten corrections:
An arrow points from the Brookhaven High value (\$12,000) to the Riverhead Low value (~~9,000~~), which is written as 15,000.
The Riverhead High value is crossed out and replaced with 15,000.

These values are those that should be attained within the designated receiving areas.

II. INTRODUCTION

The Central Pine Barrens Joint Planning and Policy Commission has proposed a program of transferrable developments rights (TDR). A critical matter determining the success of such a program is the value of any such rights to a user and the owner of credit generating property. This report proposes estimates of values of transferred development rights to the users for the Towns of Brookhaven, Southampton and Riverhead.

The method employed herein is an analysis of actual land sales within the towns. These sales are subjected to statistical analysis. The analysis employed is multiple regression. This is a statistical technique that correlates one set of data, known as the dependent variable, with one or more independent variables. The objective is to test whether there is significant correlation between the dependent variable and the independent variables. The reliability of the model is measured by a statistic known as the Correlation Coefficient (or Coefficient of Multiple Determination) -- R^2 . This is a percentage measure, although statistical convention does not convert it to an actual percentage but leaves it in decimal form. The Correlation Coefficient is calculated by contrasting the predicted (or estimated) value of dependent variables against the actual. The extent to which the predicted values are consistent with the actual values, measured as a percent, is the R^2 . For this reason, this statistic is commonly known as "goodness of fit," meaning the extent to which the statistical explanation offered "fits" with the actual values observed. The higher the value of R^2 , the better the fit. The R^2 reported herein are adjusted for sample size and thus the notation is shown as " R^2 Adj."

Two other statistical measures are employed herein. The first is the T-Ratio. This ratio measures whether the coefficient of an individual independent variable is significantly different from zero. If the coefficient is significantly different from zero, then it is accepted that the independent variable effects the dependent variable in proportion to the magnitude of the coefficient. The correlation coefficient, R^2 , assesses the explanatory power of all independent variables collectively while the T-Ratio is relevant to each individual variable. For samples of the type analyzed, T-Ratios between 1.796 and 2.624 are required. The lower T-Ratio is associated with the 95% level of significance and the higher is 99%. T-Ratios are shown above each coefficient in parentheses. A quick rule-of-thumb is that a T-Ratio must be approximately 2 before it can be accepted.

Another measure is the F Statistic. The F Statistic assesses the degree of co-variation between the dependent and independent variables. For the type of data analyzed, F Statistics of 3.09 at 95% and 5.07 at 99% are required. The F-Statistic is an overall

test of the multiple regression model.

A total of three statistics are used: (1) R^2 which measures the percent of variation in the dependent variable explained by the variation in the dependent variable(s); (2) T Ratio which measures whether an individual independent variable contributes to the explanation of the variation in the dependent variable; and (3) F Statistic which measures the degree of co-variation.

Multiple regression is used to assess the factors that influence the value of land sales. The items presumed to influence parcel sales price are: the number of acres within the parcel; the number of dwelling units authorized by existing zoning; the town that the parcel is in; the school district that the parcel is within; the density of development authorized; and the time when the sale occurred. No other factors are given consideration.

In the following sections the parcel sales within each town are analyzed together with an analysis of both towns aggregated into a single analysis. The objective is to estimate the value of an additional unit of (residential) development. This value will be used as a basis for projecting the value of a transferred development right.

To readers unfamiliar with statistical and multiple regression analysis this may be difficult. Full reporting is incorporated herein as simply full disclosure. Rather than working through the individual equations, a reader may wish to simply employ the T-Ratio rule of thumb (it should be approximately 2) and an F-Ratio rule of 5 or higher. There is no set minimum value for R^2 Adj. Rather, the closer to 1 the better. But for the type of analyses undertaken herein, values of R^2 Adj. of 50% (.5) are acceptable.

There is a fundamental difference among the three towns. The transfer programs for Brookhaven and Southampton involve the use of transferred rights within residential development. In Riverhead, by contrast, the rights are planned to be used in non-residential developments. Because of this difference, this inquiry is divided into residential use, involving Brookhaven and Southampton, and non-residential use, involving Riverhead.

III. RESIDENTIAL USE - TOTAL AREA

A total of 1,038 sales were analyzed for the entire area, i.e., both Brookhaven and Southamptn. These sales occurred between January, 1991, and January, 1995. These sales are analyzed by town and by school district in following sections. In order to construct this sample, a total of 1,218 sales records were gathered; 898 from Brookhaven and 320 from Southamptn. The upper and lower 5% of sales, in terms of price per acre were eliminated from the sample. This was done in order to avoid including extraneous or even incorrect data.¹ Additionally, another 58 sales were dropped from the sample due to inability to identify the sale by school district, zoning classification or the lack of other pertinent information. The descriptive statistics for the resulting 1,038 sales are:

	MEAN	STANDARD DEVIATION	MINIMUM	MAXIMUM
PARCEL PRICE	97,863	286,741	5,000	5,915,500
SIZE IN ACRES	2.97	11.95	0.50	213
AUTHORIZED UNITS	2.46	9.25	1.00	213
PRICE PER ACRE	32,985		4,693	219,388
AVERAGE DENSITY	0.828		0.023	4.348.

The price per acre amounted to \$32,985 and the average authorized units per acre (density) was 0.828.

Total sales included in the sample are shown in Table 1. These data are also shown in Graph 1 of the following page.

¹ For example, there were several sales at \$500 per acre and several others at over \$1 million. It is felt that these sales were extraordinary and perhaps misclassified.

TABLE 1

LAND SALES BY PRICE OF PARCEL

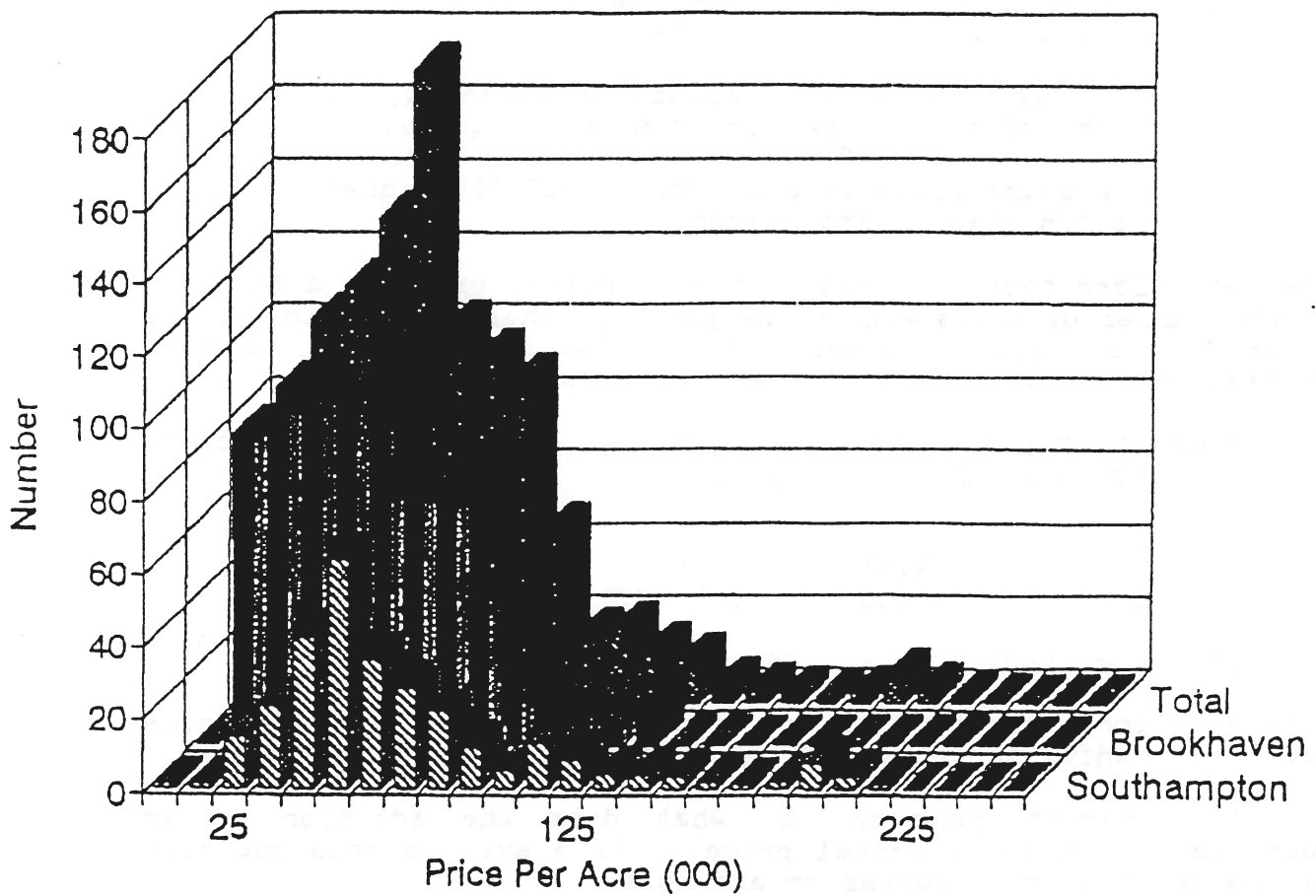
PRICE PER ACRE (000)	- - - - - NUMBER OF SALES - -		
	BROOKHAVEN	SOUTHAMPTON	TOTAL
0-10	1	1	2
10-20	86	1	87
20-30	92	14	106
30-40	93	22	115
40-50	93	41	134
50-60	111	63	174
60-70	69	35	104
70-80	69	27	96
80-90	68	21	89
90-100	37	11	48
100-110	14	5	19
110-120	9	12	21
120-130	7	8	15
130-140	8	4	12
140-150	1	4	5
150-160	1	3	4
160-170	1	2	3
170-180	1	1	2
180-190	1	2	3
190-200	1	7	8
200-210	1	3	4
210-220	1	1	2
220-230	1	0	1
230-240	1	0	1
240-250	1	0	1
250 & +	1	0	1
TOTAL	769	288	1057

Not all of the sales shown in Table 1 were analyzed. Some could not be identified by applicable zoning and others could not be identified by school district.

The average price per acre for the entire area is \$32,895. The average price within Brookhaven was \$28,676 and \$62,343 for Southampton. The total area average is greatly influenced by the larger number of sales from Brookhaven.

GRAPH 1

SALES PRICE PER ACRE MODIFIED SAMPLE



Statistical analysis was undertaken on the entire sample and considered several factors: time date of sale; the size of the parcel; and the town that the parcel was within. The statistical results are:

$$\begin{aligned} \text{PARCEL PRICE} &= 44,462 + 29,107 * \text{ACRES} - 16,476 * \text{UNITS} \\ &+ 27,129 * \text{TOWN} \\ R^2 \text{Adj} &= .5615 \quad F = 444. \end{aligned}$$

These results suggest that:

- (1) The sales price of a parcel increases by \$29,107 with the addition of each acre of land;
- (2) The sales price of a parcel decreases by \$16,476 with each addition of permitted dwelling unit;
- (3) The sales price of a parcel is \$27,129 higher in Southampton than in Brookhaven.

The net information gathered is that a parcel price is a function of the number of acres within the parcel. This is certainly not a surprising result. However, it is always comforting to have statistical analysis be consistent with common sense.

Regressing parcel price with number of authorized units and number of acres in the parcel yields:

$$\begin{aligned} \text{PARCEL PRICE} &= 52,162 - 16,329 \text{ UNITS} + 28,919 * \text{ACRES} \\ R^2 \text{Adj} &= .5602 \quad F = 661. \end{aligned}$$

This equation shows that acres add to parcel price (28,919) while authorized units detracts from price (-16,329).

The present question is, what does the addition of an authorized unit do to parcel price. The answer to this question can be derived from regression analysis:

$$\begin{aligned} \text{PARCEL PRICE} &= 52,110 + 18,061 * \text{UNITS} + 5,061 * \text{TOWN} \\ R^2 \text{Adj} &= .3381 \quad F = 266. \end{aligned}$$

This equation indicates that an authorized unit of housing adds \$18,061 to parcel prices but it also suggests that there is no

significant difference between Brookhaven and Southampton (the T-Ratio is well below acceptable norms). This result goes to the heart of an important question -- are there significant differences between Brookhaven and Southampton. This issue is discussed at the end of this section.

Re-running the equation without the distinction between Brookhaven and Southampton yields:

$$\text{PARCEL PRICE} = 53,545 + 18,047 * \text{UNITS}$$

(7.1) (23.1)

$$R^2\text{Adj} = .3387 \quad F = 532.$$

* This equation holds that a unit of development added to a parcel of land will increase that parcel value by \$18,047.

The interesting result is that the inclusion of the town is statistically insignificant. To explain this result, it is necessary to examine the parcels sold in both towns. In Brookhaven the average size of a parcel was 3.576 acres while in Southampton it was 1.373. The larger size of a parcel in Brookhaven could explain the differences in the averages, given the well known dictum that per acre prices fall with the size of a parcel. This was found to be the case in these sales. Price per acre as a function of the number of acres yields:

$$\text{PER ACRE PRICE} = 56,087 - 542 * \text{ACRES}$$

(55.1) (5.5)

$$R^2\text{Adj} = .0271 \quad F = 30.$$

However, the $R^2\text{Adj}$ is so low that no credibility can be given to this equation. The addition of Town aids in the explanatory power:

$$\text{PER ACRE PRICE} = 56,087 - 542 * \text{ACRES} + 25,090 * \text{TOWN}$$

(43.5) (4.8) (12.1)

$$R^2\text{Adj} = .1464 \quad F = 90.$$

While these results are somewhat better, they are still rather poor.

It is instructive to look at average per acre prices by size of parcel within both towns and also for the area. Tables 2 and 3 show per acre prices by parcel size for both Brookhaven and Southampton. Graphs 2 and 3 show these data and also show the trend line.

TABLE 2

AVERAGE PRICE PER ACRE AND PARCEL
SIZE BY SCHOOL DISTRICT
BROOKHAVEN

	PRICE	ACRES	PREDICTED
THREE VILLAGE	\$69,671	2.00	\$46,146
BROOKHAVEN-COMSEWAQUE	43,614	1.17	48,555
SOUTH COUNTY	48,186	1.70	47,017
SACHEM	51,193	1.67	47,104
PORT JEFFERSON	87,539	4.10	40,041
MT SINAI	65,385	1.18	48,526
MILLER PLACE	50,715	1.97	46,233
ROCKED POINT	38,132	1.23	48,381
MIDDLE COUNTY	44,856	1.06	48,875
LONGWOOD	24,583	2.64	44,288
SOUTH MANOR	22,571	4.76	38,134
PATCHOGUE-MEDFORD	34,731	2.30	45,275
Wm FLOYD	13,902	5.83	35,027
CENTER MORICHES	37,470	2.21	45,536
EAST MORICHES	39,972	2.27	45,362
SHOREHAM WADING	30,023	5.71	35,376
EASTPORT	28,523	10.58	21,238
BROOKHAVEN TOTAL	28,676	3.576	na

TABLE 3

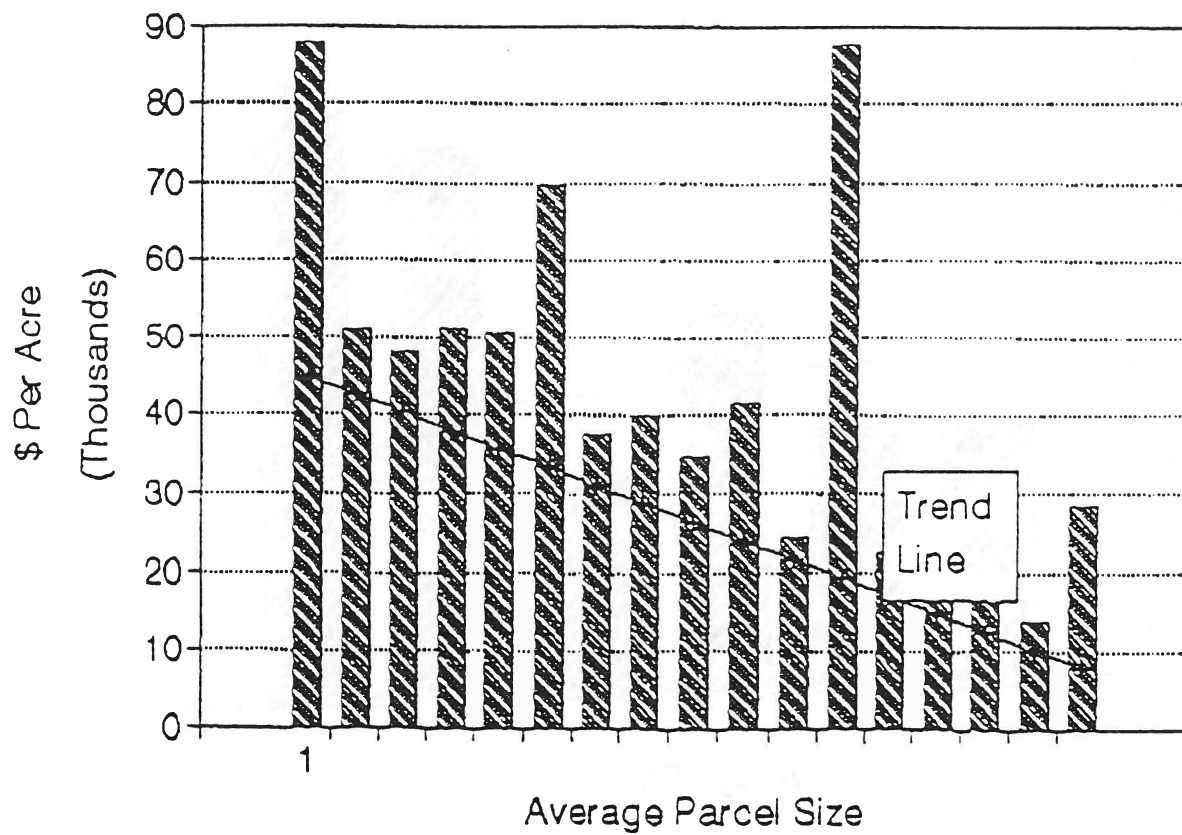
AVERAGE PRICE PER ACRE AND PARCEL
SIZE BY SCHOOL DISTRICT
SOUTHAMPTON

	PRICE	ACRES	PREDICTED
RIVERHEAD	\$87,908	1.61	\$79,094
REMBENBURG-SPEONK	41,409	2.59	\$60,260
WESTHAMPTON BEACH	104,788	1.37	\$83,706
HAMPTON BAYS	51,163	1.70	\$77,364
EASTPORT	92,848	1.24	\$86,205
EAST QUOGUE	23,612	4.94	\$15,098
SOUTHAMPTON TOTAL	62,343	1.37	na

While there is a tendency for average price per acre to decline with the size of a parcel, this trend is far from satisfying in terms of statistical support. One of the problems is that the density of parcels, that is the authorized number of dwelling units per acre, is not constant. In Brookhaven the average density is 0.781 units per acre while for Southampton it is 1.147. Given a market tendency to increase per acre values with density, it should follow that density would be a significant factor in

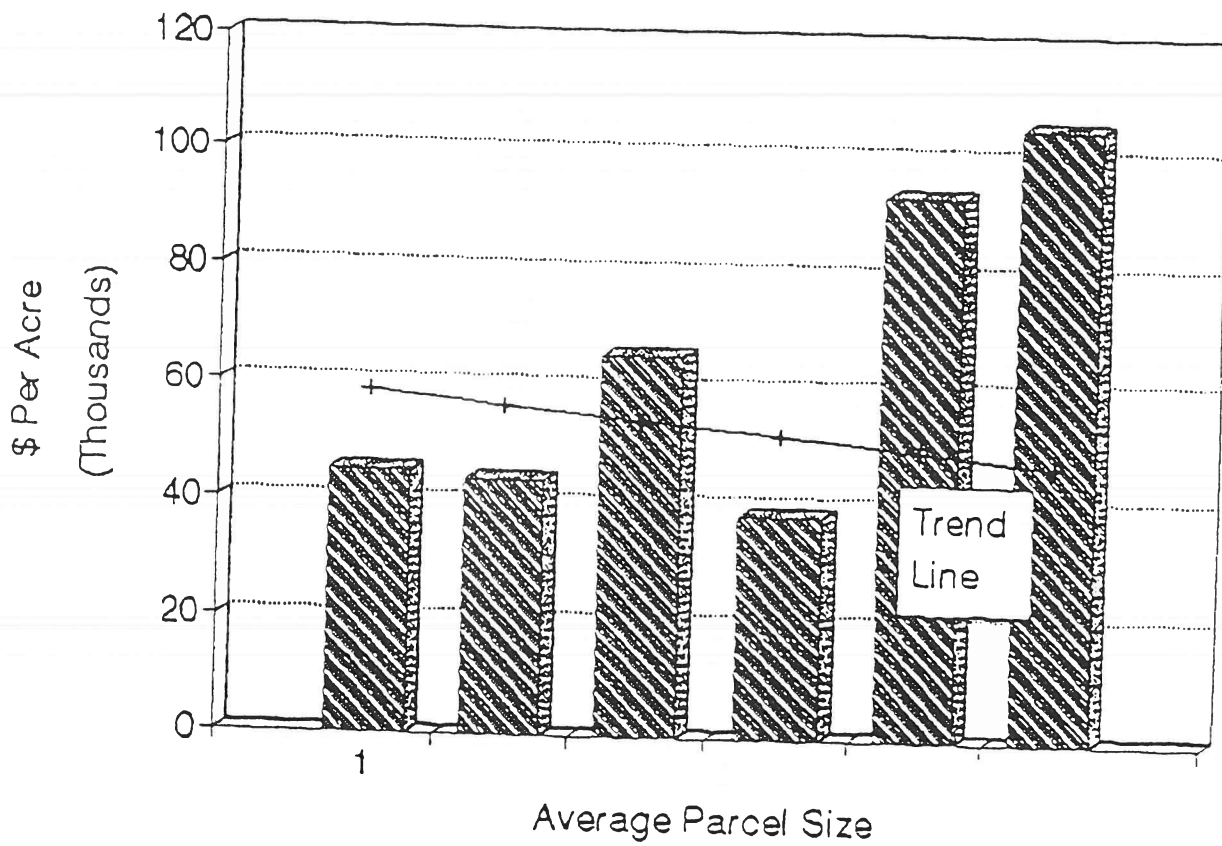
GRAPH 2

PRICE AGAINST PARCEL SIZE BROOKHAVEN



GRAPH 3

PRICE AGAINST PARCEL SIZE SOUTHAMPTON



explaining per acre prices. This is generally the case. Regressing price per acre with density yields:

$$\text{PER ACRE PRICE} = \overset{(10.5)}{56,087} - \overset{(4.0)}{314} * \text{ACRES} + \overset{(11.1)}{25,149} * \text{DENSITY}$$

$$R^2 \text{Adj} = .1295 \quad F = 78.$$

$$\text{PER ACRE PRICE} = \overset{(11.7)}{30,674} - \overset{(3.8)}{293} * \text{ACRES} + \overset{(7.7)}{17,920} * \text{DENSITY}$$

$$\overset{(11.7)}{+ 19,674} * \text{TOWN}$$

$$R^2 \text{Adj} = .1919 \quad F = 83.$$

It would appear, first, that the regression equation is picking up the differences in permitted uses between the two towns and, second, that there is some real difference between Brookhaven and Southampton. Such differences were displayed above in Graphs 2 and 3.

Table 4 presents the partial correlation coefficients of price per acre with each of the independent variables. The data in Table 4 show which variables are significantly correlated with price per acre. For Brookhaven price per acre is negatively correlated with time. This indicates that prices per acre have been declining in Brookhaven since 1991. This is not the case for Southampton. In both towns per acre prices declines with the size of the parcel, but in Southampton there is only a weak tendency for such a decline. Additionally, price per acre tends to decline with the total number of authorized dwelling units, but in Southampton this is not significant. The variable town is significant in the above equation meaning that Southampton is experiencing significantly higher prices per acre than Brookhaven (\$19,674). But, as pointed out above, the average size of parcel in Southampton is smaller and thus is it not surprising that the price per acre in Southampton would be greater due to the smaller parcel size.

In all areas density is significantly and negatively correlated with price per acre. Given that the density in Southampton is greater, one would expect price per acre in Brookhaven to be greater. In Southampton prices per acre in Riverhead school district are significantly lower while in Eastport they are significantly higher. In Brookhaven prices per acre are significantly higher for the Mt. Sinai, Longwood and Eastport school districts and significantly lower in Rocky Point.

TABLE 4

PARTIAL CORRELATIONS COEFFICIENTS
PRICE PER ACRE CORRELATED WITH:

	TOTAL	SOUTHAMPTON	BROOKHAVEN
TIME	-0.0921 *	0.0554	-0.1283 **
PARCEL PRICE	0.0174	0.1875 **	-0.0008
ACRES	-0.1674 **	-0.1219	-0.1930 **
UNITS	-0.1401 *	-0.0403	-0.1731 **
TOWN	0.3592 **		
DENSITY	0.3435 **	0.1447 *	0.4064 **
SOUTHAMPTON SCHOOL DISTRICTS:			
RIVERHEAD		-0.2758 **	
REMSENBURG-SPEONK		-0.0293	
WESTHAMPTON BEACH		0.1375 *	
HAMPTON BAYS		0.0140	
EASTPORT		0.1575 *	
EAST QUOGUE		0.1036	
BROOKHAVEN SCHOOL DISTRICTS			
THREE VILLAGE			-0.0545
BROOKHAVEN-COMSEWAQUE			-0.0186
SOUTH COUNTY			0.0758
SACHEM			0.0591
PORT JEFFERSON			nsd
MT SINAI			0.2037 **
MILLER PLACE			0.0330
ROCKY POINT			-0.0476
MIDDLE COUNTY			0.0043
LONGWOOD			0.3603 **
SOUTH MANOR			0.0432
PATCHOGUE-MEDFORD			0.0044
Wm FLOYD			-0.0180
CENTER MORICHES			0.0279
EAST MORICHES			0.1061
BAYPORT-BLUE POINT			0.0504
SHOREHAM WADING			0.1766
EASTPORT			0.0339 **

** Significant at 99.9%

* Significant at 99%

There is a statistical problem with the data known as multicollinearity. Simply put, the problem is that some of the independent variables are themselves correlated with each other as well as with the dependent variable. Since density would influence price per acre, and since density varies by town, it would follow that differences in density rather than differences in fundamental

economics may be at work. Additionally, since the size of a parcel influences price per acre, and since parcel size varies by town, again the differences in the towns may be explained by differences in parcel size rather than fundamental economics. Because there are important differences between the two towns, the better approach is to analyze each town separately.

Generally speaking, a unit of residential development adds approximately \$18,000 to parcel value across the entire area. The individual towns, and the school districts within the towns are addressed in the following sections.

ROLE OF ACRES AND UNITS

The argument put forward is that the price of a parcel of land is a function of the number of acres in the parcel and the number of dwelling units that can be built on the parcel:

$$P = f(\text{Acres}, \text{Units}).$$

Converting the data into (natural) logarithms will allow the determination of the relative role of acres and units in parcel price. The resulting equation is:

$$\ln(\text{Price}) = \overset{(535)}{10.804392} + \overset{(8.1)}{.387382} * \ln(\text{Acres}) + \overset{(5.0)}{.285421} * \ln(\text{Units})$$

$$R^2 \text{ Adj} = .4206$$

$$F = 377.$$

This equation confirms that acres and units are significant in predicting the sales price of a parcel. It is interesting to note that the sum of the coefficients is less than one. This indicates that the addition of acres, units or both will add less to parcel price with each successive addition. This again confirms that per acre value will tend to decline with the number of acres and that per unit price will tend to decline with density. These two function and plotted on the following page.

Converting the above equation from the logs yields:

$$\text{PRICE} = 10.804392 * \text{ACRES}^{\alpha} * \text{UNITS}^{\beta}$$

or

$$\text{PRICE} = 10.804392 * \text{ACRES}^{.387382} * \text{UNITS}^{.285421}.$$

The respective changes of price with respect to acres and units are:

$$(\sigma \text{PRICE} / \sigma \text{ACRES}) = \alpha * M * \text{ACRES}^{\alpha-1} * \text{UNITS}^{\beta}$$

and

$$(\sigma \text{PRICE} / \sigma \text{UNITS}) = B * M * \text{ACRES}^{\alpha} * \text{UNITS}^{\beta-1}$$

where M is the constant (10.804392 which is also converted to equal 49,237).

Inserting the values of M, α and β yields:

$$(\sigma \text{PRICE} / \sigma \text{ACRES}) = .387382 * 49,237 * \text{ACRES}^{-.612618} * \text{UNITS}^{.285421}$$

and

$$(\sigma \text{PRICE} / \sigma \text{UNITS}) = .285421 * 49,237 * \text{ACRES}^{.387382} * \text{UNITS}^{-.714579}.$$

Clearly the rate of increase in price with respect to each factor is less than one, indicating declining contributions to price. (This is indicated by the negative exponents of the independent variables). These equations confirm the graphic showing declining per acre and per unit prices.

To establish a value of an additional unit, it is first necessary to establish where this unit would occur within the range of densities. At the average density of 0.828 units to the acre, an additional unit would add \$24,518 to the predicted price of the average 2.97 acre parcel. For smaller parcels the contribution would be less and the contribution would be greater for larger parcels.

Simple linear regression yields a value per unit of approximately \$18,000. A logarithmic form yields a marginal value of approximately \$24,000 when parcel size approximates the average. These two estimates could be accepted as a range of values per unit.

Experience has shown that transferred development rights may not sell at the average or marginal value of those rights. A number of factors come into play. First, individuals involved in the transaction that implements the transfer would expect compensation. In the New Jersey Pinelands, real estate agents broker development rights and, of course, expect commissions for their services. Additionally, the revenue yield from a development right will occur in the future in that the additional unit transferred will be constructed and sold at some time distant. Thus there will be discounting for the time involved between the need to acquire a development right and the receipt of revenue from the sale of the resulting unit. There have also been discounts applied due to the uncertainty of the program.

The most studied TDR program has been the New Jersey Pinelands Development Credit (PDC). Analysis of this program would suggest that the market price of transferred rights sell at approximately 50% of use value. Such a discount would result in a value of a development right ranging from \$9,000 to \$12,000. However,

discounting for program uncertainty should be a temporary phenomena and it should be expected that the size of the discount would tend to decline over time. This has been observed with the New Jersey Pinelands program. Nevertheless, initial values should be in the range of \$9,000 to \$12,000, with this amount tending to rise as the program gains acceptance.

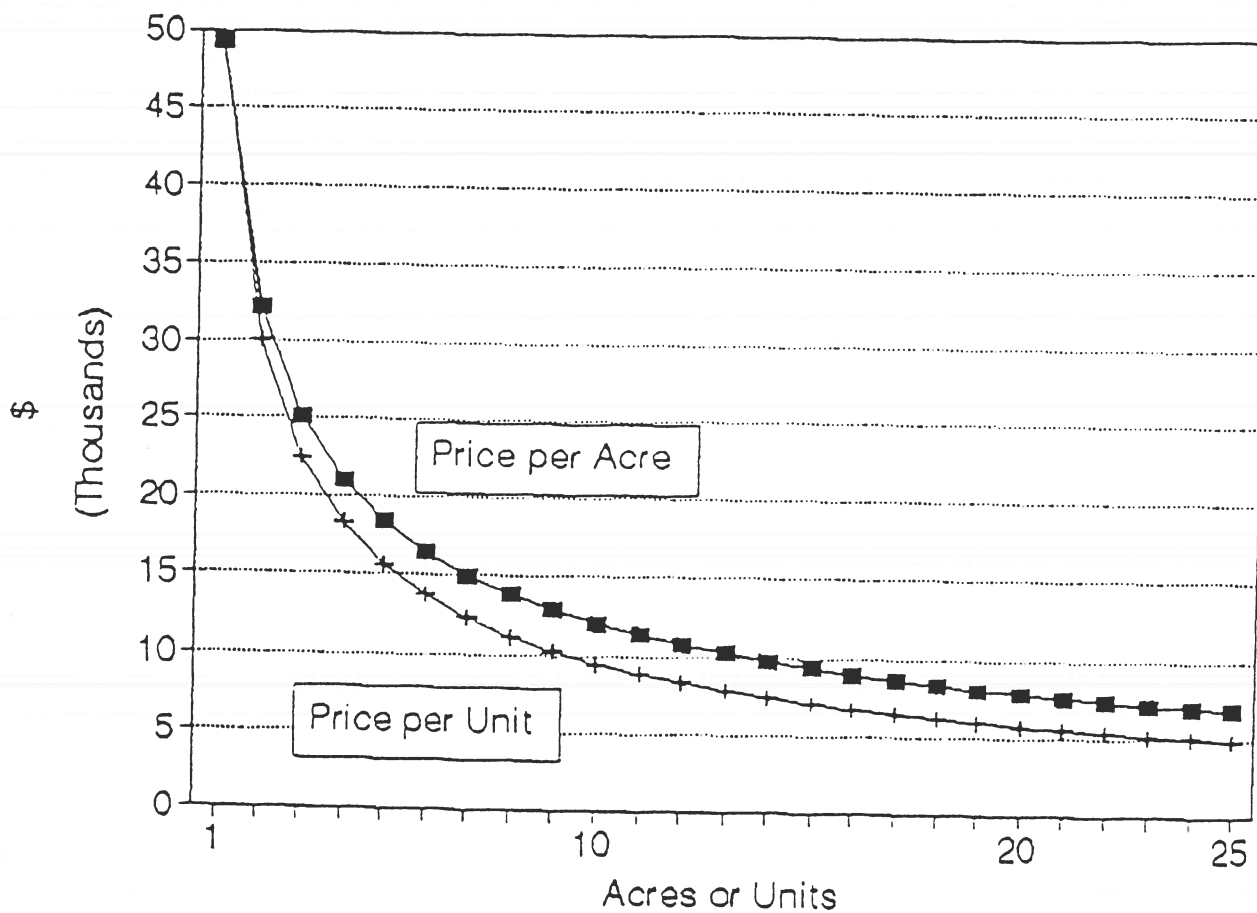
DIFFERENCES BETWEEN TOWNS

In many ways Brookhaven and Southampton appear quite different and in many other ways they appear quite similar -- confining these points of difference and similarity to matters raised herein. Average prices for properties are higher in Southampton than is Brookhaven, but both lots and parcels are smaller in Southampton than in Brookhaven. A strong case can be made that there are no fundamental differences between the Brookhaven and Southampton samples analyzed herein.

Whether there are significant economic differences can be both supported and opposed by the data. Regardless of what the data show, the directive has been given to view the two towns separately. Therefore Brookhaven and Southampton are considered as differentiable in the following sections.

GRAPH 4

PRICE PER ACRE OR UNIT TOTAL AREA



IV. BROOKHAVEN

A total of 751 sales were incorporated into the Brookhaven analysis. The descriptive statistics are:

	MEAN	STANDARD DEVIATION	MINIMUM	MAXIMUM
PARCEL PRICE	102,542	328,518	5,000	5,915,500
SIZE IN ACRES	3.58	13.87	0.68	213
AUTHORIZED UNITS	2.79	10.54	1.00	213
PRICE PER ACRE	28,675		4,693	100,000
DENSITY	0.78		0.154	1.471

The number of units authorized is significant in explaining parcel price:

$$\text{PARCEL PRICE} = 52,540 + 17,907 * \text{UNITS}$$

(5.2) (19.2)

$$R^2 \text{Adj} = .3294 \quad F = 369.$$

The coefficient of units for Brookhaven, 17,907, is not significantly different from that of the total sample (18,087).

In the previous section it was pointed out that there appear to be some significant differences among the school districts. The above equation was re-run but this time including Mt. Sinai, Longwood, and Eastport as independent variables. The results are:

$$\text{PARCEL PRICE} = 42,495 + 17,536 * \text{UNITS} + 10,181 * \text{MT SINAI}$$

(3.6) (19.0) (0.3)

$$- 17,539 * \text{LONGWOOD} + 16,426 * \text{EASTPORT}$$

(0.7) (4.6)

$$R^2 \text{Adj} = .3462 \quad F = 100.$$

The explanatory ability of this form is much worse and, the T-ratios for Mt. Sinai and Longwood show that they are not significantly related to parcel price. This, however, is not the case for Longwood.

Including both acres and units yields:

$$\text{PARCEL PRICE} = 48,039 - 26,866 * \text{UNITS} + 36,220 * \text{ACRES}$$

(6.2) (12.9) (22.8)

$$R^2 \text{Adj} = .6041 \quad F = 573.$$

As with the total sample, more acres add to price and more authorized units detract from price. For Brookhaven an acre adds

\$36,220 to parcel price (verses \$28,919 for the total) and an authorized unit deducts \$26,866 (verses \$16,329 for the total).

Now including school districts with acres and units yields:

$$\text{PARCEL PRICE} = \overset{(5.3)}{49,219} - \overset{(12.5)}{26,540} * \text{UNITS} + \overset{(22.0)}{35,907} * \text{ACRES}$$

$$+ \overset{(0.5)}{15,676} * \text{MT SINAI} - \overset{(1.1)}{23,619} * \text{LONGWOOD}$$

$$+ \overset{(0.8)}{23,974} * \text{EASTPORT}$$

$$R^2 \text{Adj} = .6039 \quad F = 229.$$

Both Mt Sinai and Eastport are insignificant. Re-running the equation just with Longwood yields:

$$\text{PARCEL PRICE} = \overset{(6.2)}{52,576} - \overset{(12.9)}{26,851} * \text{UNITS} + \overset{(22.8)}{36,188} * \text{ACRES}$$

$$- \overset{(1.3)}{23,619} * \text{LONGWOOD}$$

$$R^2 \text{Adj} = .6044 \quad F = 383.$$

There is some tendency for Longwood to be different from the rest of Brookhaven. However, this tendency is not strong and not consistent. Moreover, the magnitude of the coefficients of Units and Acres are not significantly different when Longwood is included.

The most important determinant of the sales value of a parcel is the number of acres within that parcel and the number of authorized units. A logarithmic regression of parcel price with acres and units yields:

$$\text{LN}(\text{PRICE}) = \overset{437}{10.707329} + \overset{4.1}{.300272} \text{LN}(\text{ACRES}) + \overset{4.7}{.411669} \text{LN}(\text{UNITS})$$

$$R^2 \text{Adj} = .4944 \quad F = 333$$

This equation confirms that acres and units are significant within Brookhaven in predicting the sales price of a parcel. Here also the sum of the coefficients is less than one. This indicates that the addition of acres, units or both, will add less to parcel price with each successive addition. Thus per acre value will tend to decline with the number of acres and that per unit price will tend to decline with density. These two functions are plotted on the following page.

Converting the above equation from the logs yields:

$$\text{PRICE} = 44,682 * \text{ACRES}^{\alpha} * \text{UNITS}^{\beta}$$

or

$$\text{PRICE} = 44,682 * \text{ACRES}^{.300272} * \text{UNITS}^{.411669}$$

The respective changes of price with respect to acres and units are:

$$(\sigma \text{PRICE} / \sigma \text{ACRES}) = \alpha * M * \text{ACRES}^{\alpha-1} * \text{UNITS}^{\beta}$$

and

$$(\sigma \text{PRICE} / \sigma \text{UNITS}) = \beta * M * \text{ACRES}^{\alpha} * \text{UNITS}^{\beta-1}$$

Inserting the values of M, α and β yields:

$$(\sigma \text{PRICE} / \sigma \text{ACRES}) = .300272 * 44,682 * \text{ACRES}^{.69972} * \text{UNITS}^{.411669}$$

and

$$(\sigma \text{PRICE} / \sigma \text{UNITS}) = .411669 * 44,682 * \text{ACRES}^{.300272} * \text{UNITS}^{.58833}$$

The rate of increase in price with respect to each factor is less than one, indicating declining contributions to price. These equations confirm the graphic for Brookhaven showing declining per acre and per unit prices.

The above results do not differ if the Longwood district is included:

$$\begin{aligned} \text{Ln(Price)} &= \overset{(447)}{10.815746} + \overset{(5.0)}{.39533} \text{Ln(UNIT)} + \overset{(4.6)}{.313169} \text{Ln(ACRES)} \\ &\quad - \overset{(12.0)}{.652241} \text{LONGWOOD} \end{aligned}$$

$$R^2 \text{ Adj} = .5541 \quad F = 311.$$

While Longwood has a significant T-Ratio, the value of the coefficients of Acres and Units do not materially differ with the inclusion of Longwood. Therefore, it would appear that there are no significant differences within Brookhaven that would affect the results of this analysis.

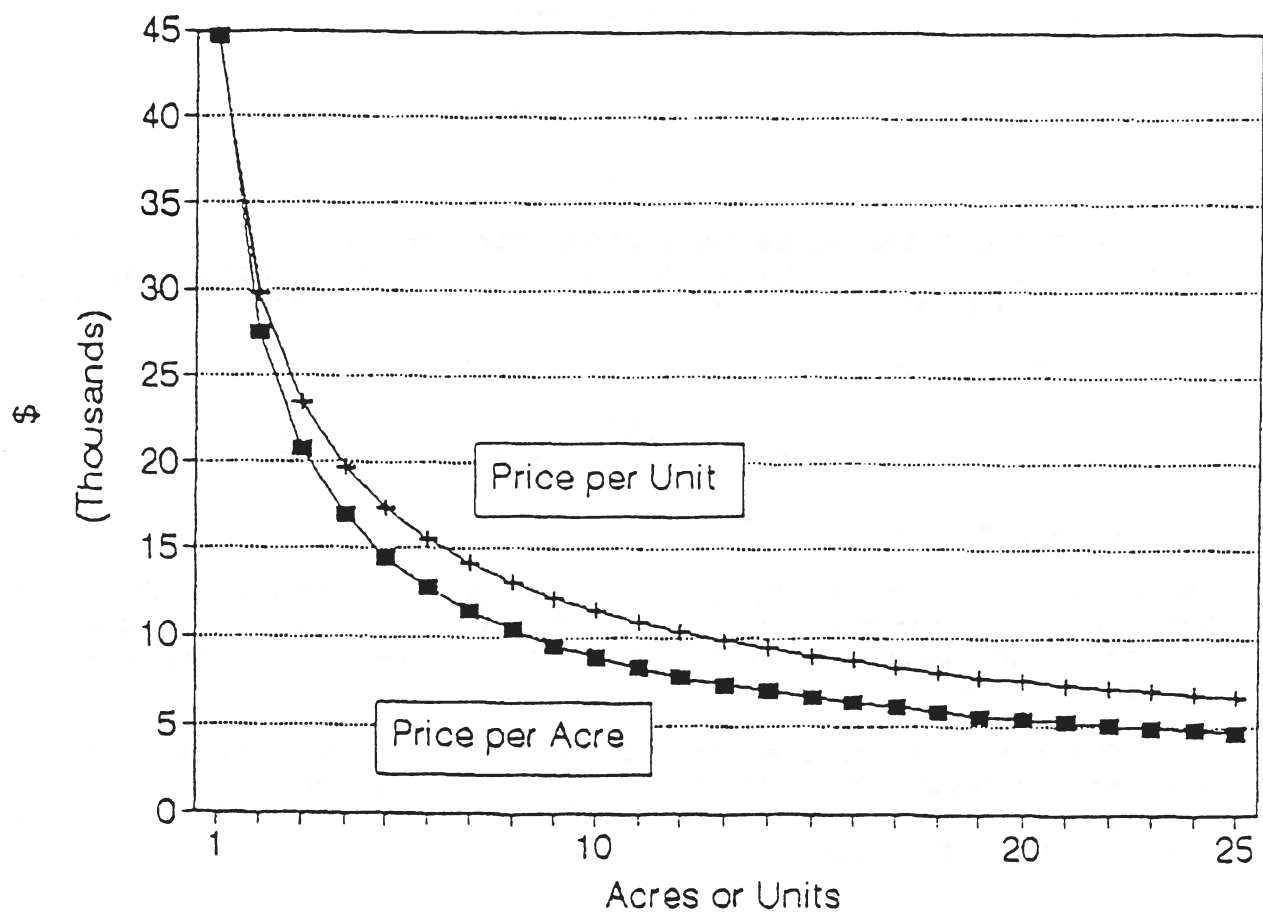
To establish a value of an additional unit within Brookhaven, it is first necessary to establish where this unit would occur within the range of densities. At the average density of 0.78 units to the acre, an additional unit would add \$31,223 to the predicted price of the average 3.58 acre parcel. For smaller

parcels the contribution would be less and the contribution would be greater for larger parcels.

Simple linear regression yields a value per unit of approximately \$18,000, virtually the same as for the total area. A logarithmic form yields a marginal value of approximately \$31,000 when parcel size approximates the average. These two estimates could be accepted as a range of values per unit.

With appropriate discounting, a development right in Brookhaven would range from \$9,000 to \$15,000.

GRAPH 5

PRICE PER ACRE OR UNIT
BROOKHAVEN

V. SOUTHAMPTON

A total of 287 Southampton sales were analyzed. The descriptive statistics for these sales are:

	MEAN	STANDARD DEVIATION	MINIMUM	MAXIMUM
PARCEL PRICE	85,617	122,036	15,000	1,400,000
SIZE IN ACRES	1.37	3.13	0.50	43.72
AUTHORIZED UNITS	1.57	4.26	1.00	71.
PRICE PER ACRE	62,343		14,835	219,388
DENSITY	1.146		0.023	4.348

The linear results for parcel price with units is:

$$\text{PARCEL PRICE} = \overset{(9.9)}{53,276} + \overset{(17.3)}{20,534} * \text{UNITS}$$

$$R^2 \text{ Adj} = .5115 \quad F = 300.$$

The coefficient for units in Southampton, 20,534, is not significantly different from Brookhaven (17,907) or the Total (18,047). This would indicate some no significant difference for Southampton.

Regressing price with acres and units yields:

$$\text{PARCEL PRICE} = \overset{(9.0)}{34,135} + \overset{(12.4)}{10,731} * \text{UNITS} + \overset{(21.4)}{25,180} * \text{ACRES}$$

$$R^2 \text{ Adj} = .8129 \quad F = 622.$$

These results for Southampton are markedly different than for Brookhaven (or for the total). In Southampton both acres and units add to parcel price while in Brookhaven acres add to value while units detract.

The analysis for the total area indicated that the Riverhead, Westhampton Beach and Eastport school districts may be significantly different within Southampton. Running the equation including these districts yields:

$$\begin{aligned} \text{PARCEL PRICE} = & \overset{(7.1)}{54,967} + \overset{(23.1)}{20,750} * \text{UNITS} - \overset{(2.0)}{24,101} * \text{RIVERHEAD} \\ & + \overset{(1.6)}{22,389} * \text{WESTHAMPTON BEACH} = \overset{(0.4)}{7,469} * \text{EASTPORT} \end{aligned}$$

$$R^2 \text{ Adj} = .5233 \quad F = 79.5.$$

Clearly Westhampton Beach and Eastport are not significant. Re-running the equation with Riverhead yields:

$$\text{PARCEL PRICE} = 61,361 + 20,720 * \text{UNITS} - 30,436 * \text{RIVERHEAD}$$

(10.1) (17.7) (2.7)

$$R^2 \text{ Adj} = .5223 \quad F = 157.$$

Including school districts with both units and acres yields:

$$\begin{aligned} \text{PARCEL PRICE} = & 32,134 + 10,914 * \text{UNITS} + 25,083 * \text{ACRES} \\ & - 14,888 * \text{RIVERHEAD} + 24,581 * \text{WESTHAMPTON BEACH} \\ & + 18,850 * \text{EASTPORT} \end{aligned}$$

(6.9) (13.0) (22.0)
(2.0) (2.9)
(1.7)

$$R^2 \text{ Adj} = .82342 \quad F = 269.$$

In this form Riverhead and Westhampton Beach are significant and Eastport is marginally significant.

There appears to be rather substantial differences in the density of authorized development among the Southampton school districts. For Southampton as a whole, the authorized density is 1.146 units per acre. The densities by school district are:

RIVERHEAD	1.154**
REMSENBURG-SPEONK	0.985**
WESTHAMPTON BEACH	1.116**
HAMPTON BAYS	
EASTPORT	1.780*
EAST QUOGUE	1.687
SOUTHAMPTON TOTAL	1.146

** Significantly different at the 98% level.
* Significantly different at the 95% level.

There appears to be no consistent pattern, even though there are significant differences among the districts. Brookhaven, by contrast, has little variation among the school districts in terms of density. Only Three Village and Eastport significantly vary from the norm for Brookhaven and then only at the 95% level of significance.

While there are appearances of significant variation among the Southampton school districts, this variation appears to be due to differences in density rather than fundamental differences in the

land market.

ROLE OF ACRES AND UNITS

$$\text{LN}(\text{PRICE}) = \overset{(370)}{11.064526} + \overset{(11.6)}{.690356} \text{LN}(\text{ACRES}) + \overset{(1.4)}{.097114} \text{LN}(\text{UNITS})$$

$$R^2 \text{Adj} = .4182 \quad F = 104$$

T Ratio for units is significant only at the 85% level. It would appear that density is reappearing as a causal factor. Including density in the above equation yields:

$$\text{LN}(\text{PRICE}) = \overset{(93)}{11.219558} + \overset{(4.6)}{.550568} \text{LN}(\text{ACRES}) + \overset{(1.8)}{.270652} \text{LN}(\text{UNITS})$$

$$- \overset{(1.3)}{.139898} \text{DENSITY}$$

$$R^2 \text{Adj} = .4198 \quad F = 70.$$

In this form units is of marginal significance while density is not significant. However, the inclusion of density improves the significance of units. Putting density in logs yields:

$$\text{LN}(\text{PRICE}) = \overset{(369)}{11.064526} + \overset{(12.3)}{.787470} \text{LN}(\text{UNITS})$$

$$- \overset{(11.6)}{.690356} \text{LN}(\text{DENSITY})$$

$$R^2 \text{Adj} = .4182 \quad F = 104.$$

Here the number of acres totally drops out. Trying the above equation in a log-linear form yields:

$$\text{PRICE} = \overset{(9.9)}{38,964} + \overset{(15.4)}{22,856} \text{ACRES} + \overset{(12.1)}{11,981} \text{UNITS}$$

$$- \overset{(2.5)}{20,065} \text{LN}(\text{DENSITY})$$

$$R^2 \text{Adj} = .8163 \quad F = 424.$$

In this form all variables are significant. It clearly shows that density plays a role and that the role of density is non-linear. In the lower density ranges the actual density has little role in

establishing parcel price while in the higher densities it has a significant role. What this means is that the value of an additional unit in Southampton will drop off sharply as density increases. It also suggests that Southampton, or at least some parts of Southampton, may have provided more density than the market would dictate.

Converting the log of price with log of acres and units yields:

$$\text{PRICE} = 63,865 * \text{ACRES}^{\alpha} * \text{UNITS}^{\beta}$$

or

$$\text{PRICE} = 63,865 * \text{ACRES}^{.690356} * \text{UNITS}^{.097114}.$$

The respective changes of price with respect to acres and units are:

$$(\sigma \text{PRICE} / \sigma \text{ACRES}) = \alpha * M * \text{ACRES}^{\alpha-1} * \text{UNITS}^{\beta}$$

and

$$(\sigma \text{PRICE} / \sigma \text{UNITS}) = \beta * M * \text{ACRES}^{\alpha} * \text{UNITS}^{\beta-1}.$$

Inserting the values of M, α and β yields:

$$(\sigma \text{PRICE} / \sigma \text{ACRES}) = .690356 * 63,865 * \text{ACRES}^{.30964} * \text{UNITS}^{.097114}$$

and

$$(\sigma \text{PRICE} / \sigma \text{UNITS}) = .097114 * 63,865 * \text{ACRES}^{.690356} * \text{UNITS}^{.90288}.$$

The rate of increase in price with respect to each factor is less than one, indicating declining contributions to price. These equations confirm the graphic for Southampton showing declining per acre and per unit prices. The value of the exponent of Units, -.90288, indicates that unit value will decline sharply with density. These relationships are plotted on the following page. The precipitous decline in unit value would tend to indicate that any transferred rights would be valuable only within a narrow density range.

To establish a value of an additional unit within Southampton, it is first necessary to establish where this unit would occur within the range of densities. At the average density of 1.146 units to the acre, an additional unit would add \$6,815 to the predicted price of the average 1.37 acre parcel. For smaller parcels the contribution would be less and the contribution would be greater for larger parcels. These figures for Southampton are a function of applying the calculated coefficients to the average size of parcel and at the average density. Dramatically different

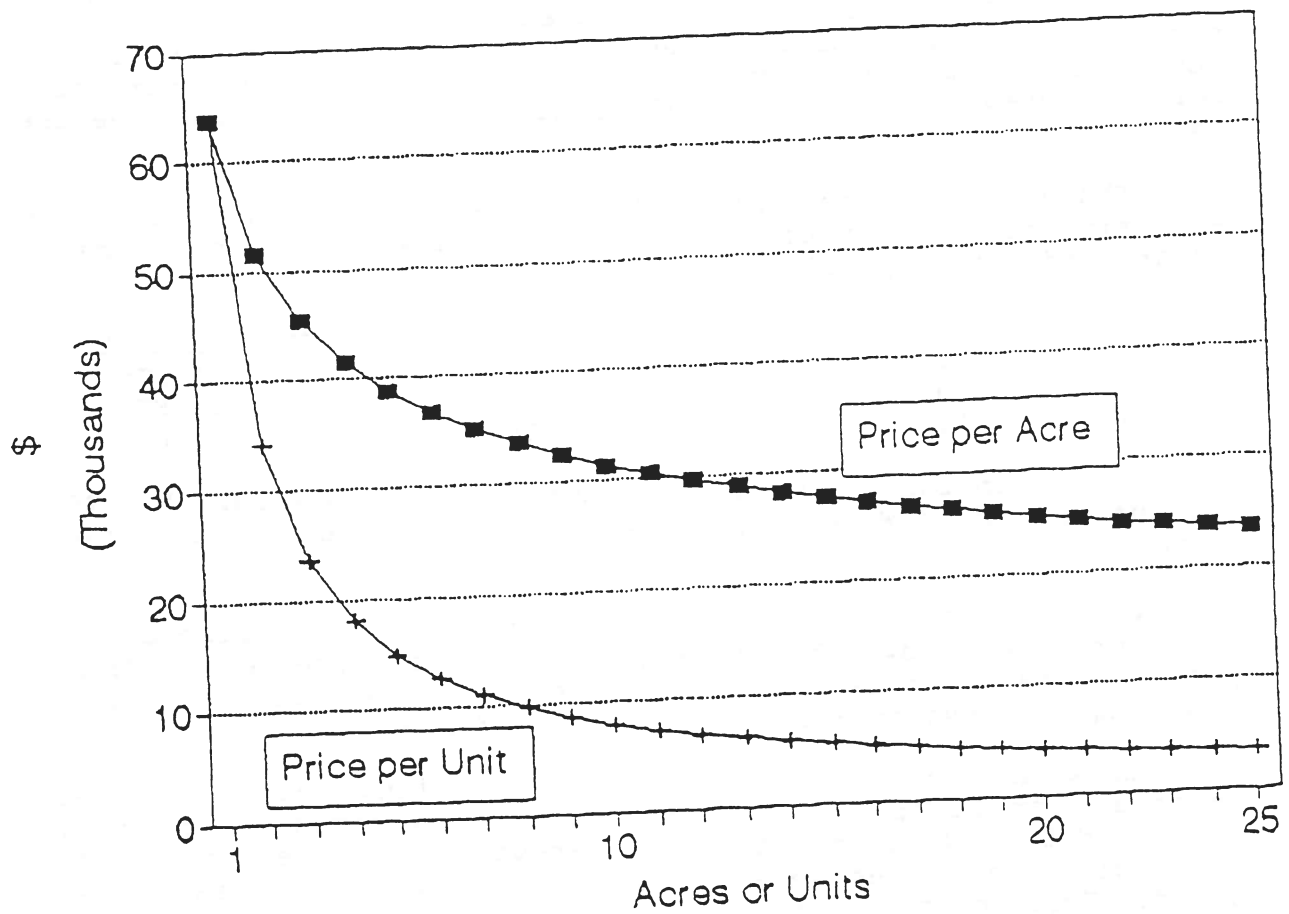
numbers result if, for example, the total area averages were used. With 2.97 acres per parcel and a density of .828 units, the value of the marginal unit would be \$15,592. With Brookhaven's averages the marginal value would be \$18,722.

Simple linear regression yields a value per unit of approximately \$20,000, slightly above the total area and Brookhaven. A logarithmic form yields a marginal value of approximately \$7,000 to \$18,000. These two estimates could be accepted as a range of values per unit.

With appropriate discounting, a development right in Southampton would range from \$3,500 to \$9,000. The Southampton figures are heavily skewed by the higher density parcels. In the higher density parcels, that density above one unit per acre, there appears to be little potential for right transfers. Or, alternatively, the value of such rights would be very low. In Southampton the premium appears to be on larger lots without a need to increase density. Nevertheless, as shown in Table 2, Southampton has a number of large tracts that could be candidates for transferred development. However, of the 10 tracts sold with 10 acres or more (containing a total of 258 acres) most are presently zoned for one unit to the acre (CR-40 or R-40) or higher (R-20 or R-15). The relatively dense zoning of these parcels reduces the expected value of a transferred right as well as potentially limiting demand.

GRAPH 6

PRICE PER ACRE OR UNIT SOUTHAMPTON



VI. RIVERHEAD

The Town of Riverhead presents an entirely different issue than Brookhaven or Southampton. In Brookhaven and Southampton the relevant real estate market is residential -- primarily single family residential. The units to be transferred within both of these towns will be residential and the use of these transferred units will also be residential. In Riverhead the units to be transferred will be residential, but the use will be non-residential. This different use of transferred units in Riverhead requires a different approach.

In Riverhead transferred development will be usable within industrially zoned land (IA). This zoning allows a variety of uses other than what is typically thought of as industrial. Restaurants would be one example. Under existing regulations, property users are limited to producing no more than 300 gallons of waste water per day (gpd) per acre. Under the transfer regulations a user could produce up to 600 gallons of waste water per day per acre. For some uses of land this would constitute a doubling of the use value of land.

The effect of the 300 gpd rule is to limit the effective economic productivity of a site. The allowable use per acre as contrasted with typical or common uses are:

USE	ALLOWED PER ACRE	TYPICAL PER ACRE
Gen. Industry	7,500 FT'	15,000 FT'
Gen. Office	5,000 FT'	12,000 FT'
Gen. Retail	6,000 FT'	12,000 FT'.

SOURCE: Urban Land Institute, Community Builders Handbook, 1968; and Suffolk County Water Authority, "Waste Water Generation Rates," undated.

Of course, the typical usage shown above is highly variable. But the magnitudes shown should be reasonable for Riverhead. Simply put, the use of transferred development in Riverhead will allow a doubling for most non-residential uses of land.

As with Brookhaven and Southampton, land sales data were gathered for Riverhead. Since use of development transfer in Riverhead is to be restricted to non-residential development, only non-residential sales were included. A total of 23 sales were found. Three of these sales were unusable, leaving a sample of 20 sales. The statistics on these sales are:

	MEAN	STANDARD DEVIATION	MIN	MAX
PRICE	318,650	354,480	30,000	1,612,500
ACRES	11.08	12.23	1.08	47.17
\$/FT ²	0.68	1.80	.17	7.61

The size of a parcel is significant in explaining parcel price:

$$\text{PARCEL PRICE} = \frac{(7.6)}{25,041} * \text{ACRES}$$

$$R^2 \text{ Adj} = .5399 \quad F = 23.$$

Note that in this equation there is no constant term. The T-Ratio of the constant was insignificant. This equation simply holds that non-residential land within the study area of Riverhead sells for \$25,041 per acre. The \$25,041 marginal value from the regression equation may be contrasted with the simple average of \$28,769 per acre. Because only IA zoned land is included, there is no variation in permitted uses or other factors that may be presumed to affect land value.

There is some tendency for land prices to decline with parcel size:

$$\text{PRICE PER FT}^2 = \frac{(1.0)}{1.80} - \frac{(1.4)}{0.0472} * \text{ACRES}$$

$$R^2 \text{ Adj} = .1000.$$

$$\text{LN(Price)} = \frac{(15.81)}{11.3673} + \frac{(3.3)}{.49026} \text{LN(Acres)}$$

$$R^2 \text{ Adj} = .3698 \quad F = xx.$$

There is a tendency for price per unit, either per acre or per foot, to decline with the number of acres. Graph x shows the price per acre by parcel size for the 20 parcels included in this sample. There is almost no transition in the data shown. The smallest parcels sell for a high price per acre while the larger parcels sell for much less, and all parcels above 2 acres in size do not experience much variation in price per acre. In fact, two parcels exert a rather strong influence on this sample. These two parcels, both slightly over 1 acre in size, command prices of \$7.61 per foot and \$4.84 per foot. The average price per foot of the Riverhead sample is \$0.68. Only 4 sales are over \$1 per foot. It would appear that typical Riverhead prices are well below \$1 per foot.

The logarithmic equation shown above does provide significant results. This equation is graphed on the following page. The two equations provide somewhat conflicting information. On the first hand there appears to be no discernable trend in price per acre while on the other there is such a trend. Unfortunately, with a sample size so small, it is not possible to reconcile this issue.

The prices for non-residential land observed in Riverhead appear to be low. The prices are low when contrasted with residential property in Brookhaven and Southampton:

BROOKHAVEN	28,676
SOUTHAMPTON	62,343
RIVERHEAD	28,769.

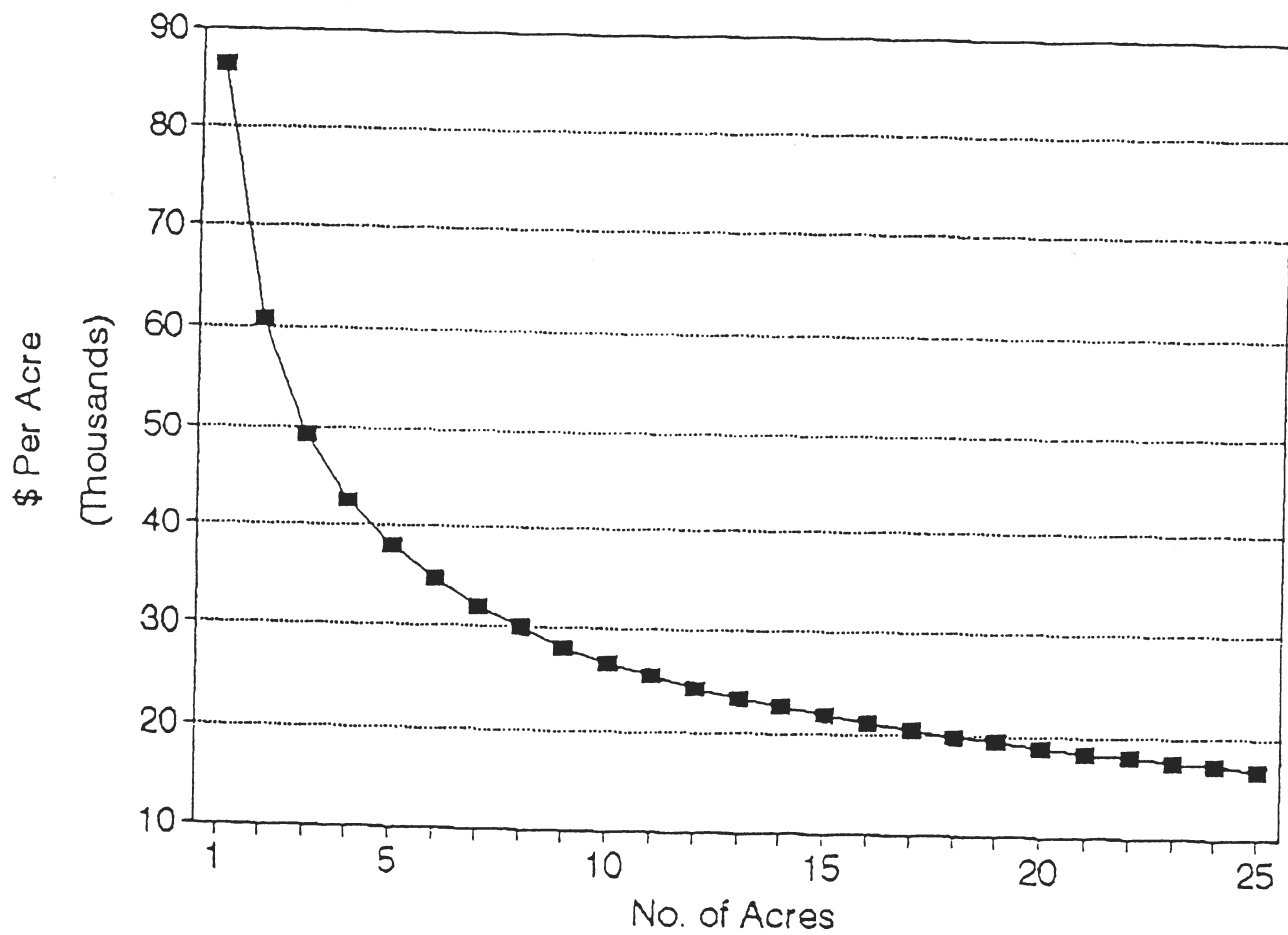
The Brookhaven and Riverhead per acre averages are almost the same. But the Riverhead sales are for non-residential land. Typically non-residential land, especially of the type in the present sample, commands much higher prices than seen herein.

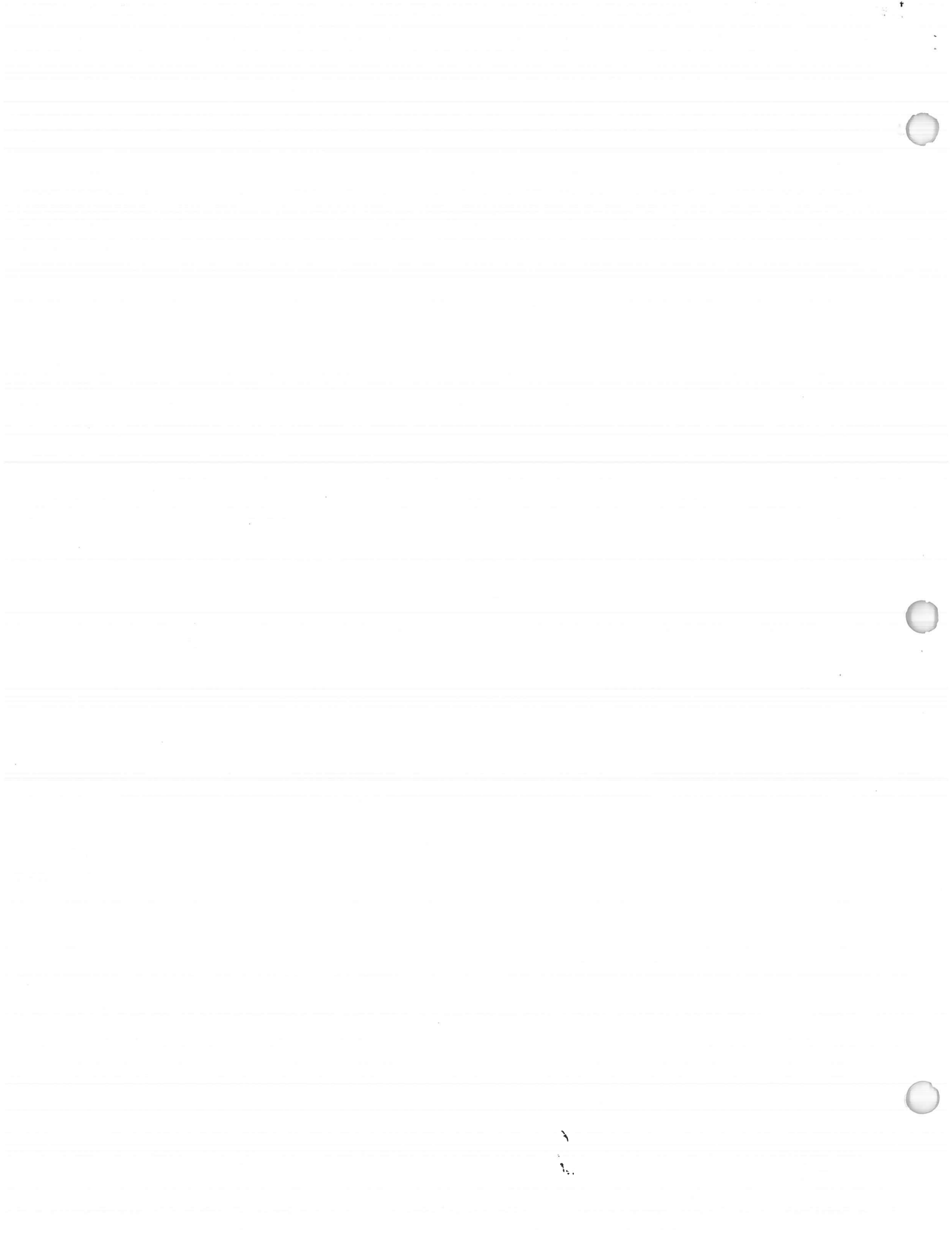
The only available explanation for such low prices is the severe use restrictions imposed on the land by the waste water allocation. These allocations would limit the economic productivity of the land and such productivity limitations would, in turn, be reflected in market valuations. Allowing a doubling in productivity should be reflected in higher market prices. However, there are no data that will allow estimation of market prices with such an increase in productivity. In the cases of Brookhaven and Southampton resultant market prices could be estimated and these market price estimates provided a basis for estimating the value of transferred rights. In the case of Riverhead the only available option is to simulate the value of a transferred right.

For the majority of available non-residential uses, transferred rights will allow a doubling of economic productivity. In some situations it would be a tripling or even more. For the Riverhead sample, this would suggest resultant market values of approximately \$50,000 per acre. This result is due to the addition of \$25,000 per acre in value due to the ability to increase (double) waste water flows. Given a discount of 50% between changes market value and the value of transfer rights, this would yield an estimated value of \$12,500 per right in Riverhead.

GRAPH 7

AVERAGE PRICE PER ACRE RIVERHEAD





PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
ROBERT J. DUFFY, A.I.C.P., *MEMBER*
ALLAN GRECCO, ESQ., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Clearinghouse Agenda (FINAL) for March 26, 1996, 2:00 P.M. SCWA Technical Services Building, Great River

1. Administrative

- Public comment period
- Adoption of February meeting minutes (*attached*)

2. Pine Barrens Credit Program Capitalization Funds

- Comments of John Cochrane, Suffolk County Treasurer
- Capitalization Funds Update

3. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretations

- Summary of Clearinghouse applications (*to be distributed*)
- Issuance of Letters based on staff reports (*to be distributed*)

B. Pine Barrens Credit Certificates

- Status of Nicholas Aliano's application

4. Public Hearing

- Continuation of Letter of Interpretation Grievance Hearings (3:30 P.M.)
 1. Bernard Meyer
 2. Expressway 60 Patent

5. Program Implementation

- Title Report and Insurance Policy
- Status of Non-Residential Allocation Formulae
- Counsel's report on state legislation to charter Clearinghouse

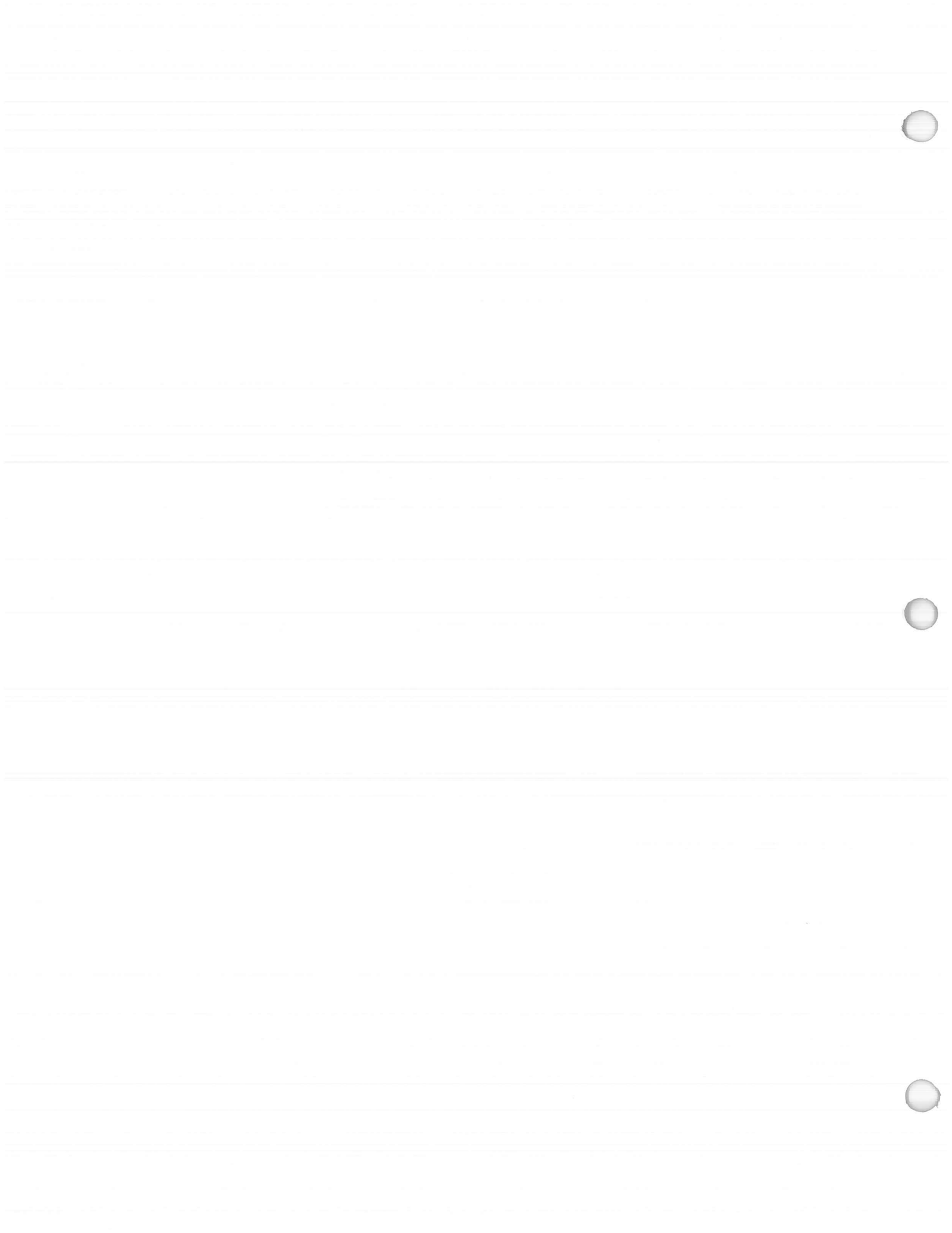
6. Acquisition of Pine Barrens Credits

- Strategy for Clearinghouse acquisition

7. Meeting Schedule

8. Executive Session (*if needed*)

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



PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
ALLAN D. GRECCO, ESQ., *MEMBER*
ROBERT J. DUFFY, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

**Pine Barrens Credit Clearinghouse Board of Advisors
Meeting Summary for March 26, 1996 (FINAL)
Central Pine Barrens Joint Planning and Policy Commission Office
Great River, New York 2:00 p.m.**

Present: Board members included Mr. Tripp (representing Brookhaven), Mr. Duffy (representing Southampton), Mr. Hanley (representing Riverhead), Mr. Pally (representing New York State). Mr. Grecco (representing Suffolk County) was not in attendance. Also in attendance were Ms. Roth, General Counsel to the Commission, Mr. Corwin, Executive Director to the Commission, Staff members Ms. Trezza, Mr. Hopkins, Mr. Milazzo, Ms. Plunkett, and Mr. Spitz. Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order by Mr. Tripp at 2:05 p.m.

1. Administrative

- Public Comment period:
At this time there were no public comments.
- Adoption of February meeting summary:

A motion was made by Mr. Pally and seconded by Mr. Hanley to adopt the meeting summary of February 26, 1996 as amended. The motion was approved unanimously.

2. PBC Program Capitalization Funds

- Capitalization Funds Update and Comments of John Cochrane, Suffolk County Treasurer
Summary: John Cochrane handed out and went over the monthly financial report for February '96. He also went through the interest bearing investments that the County has entered into. There have been no disbursements to date. Estimated yield has been added to the monthly financial reports as Mr. Hanley had asked at the prior meeting

3. PBC Clearinghouse Applications

- Summary of Clearinghouse Applications

Summary: Mr. Milazzo gave a brief overview of the applications for Letters of Interpretation received by the Clearinghouse to date. Staff reports and work sheets for all applications were distributed to Clearinghouse members. The Board members voted on a series of resolutions following the summary that was given by staff members.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate 0.10 credits on the David Giorgetti application (200-382-3-6). A survey will be needed due to the existing residence on the parcel. The motion was approved unanimously.

A motion was made by Mr. Pally and seconded by Mr. Duffy to allocate 0.10 credits on the Sanfillipo and others application (200-413-2-28). The motion was carried unanimously.

A motion was made by Mr. Pally and seconded by Mr. Duffy to allocate 0 credits on the Weeks application (200-481-2-1.002). This action was based on section 6.3.4.3 of the Pine Barrens Comprehensive Land Use Plan. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate 0.10 credits on the Cappello application (200-502-1-7). The motion was carried unanimously.

A motion was made by Mr. Hanley and seconded by Mr. Pally to allocate 0.10 credits on the Schiffer application (200-529-4-33). The motion was carried unanimously.

A motion was made by Mr. Pally and seconded by Mr. Duffy to allocate 0.10 credits on the Ferrari application (200-531-1-27). The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate 2.21 credits on the Gazza applications (900-212-1-17.8; 17.9; 17.10; 17.11). The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Pally to allocate 0.40 credits on the Paladino application (900-215.1-1-49). The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Tripp to allocate 0.21 credits on the Paladino application (900-215.1-1-50). The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate 0.10 credits on the Gazza application (900-280-2-52). The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate 4.0 credits on the Gazza applications (900-285-2-29.2; 30.2; 31.2; 32.2). The motion was carried

1. The first part of the document is a title page. It contains the title of the document, the author's name, and the date of completion. The title is "The History of the World from the Beginning to the Present Time". The author is "John Smith". The date is "1790".

2. The second part of the document is a table of contents. It lists the chapters of the document and the page numbers where they begin. The chapters are: "The Creation of the World", "The History of the World from the Beginning to the Present Time", "The History of the World from the Present Time to the Future", and "The History of the World from the Future to the End of the World".

3. The third part of the document is the first chapter, "The Creation of the World". It describes the creation of the world according to the Bible. It begins with the creation of the world in six days, and then describes the creation of man and woman. It ends with the fall of man and the beginning of the world's history.

4. The fourth part of the document is the second chapter, "The History of the World from the Beginning to the Present Time". It describes the history of the world from the beginning to the present time. It begins with the creation of the world, and then describes the history of the world from the beginning to the present time. It ends with the present time.

5. The fifth part of the document is the third chapter, "The History of the World from the Present Time to the Future". It describes the history of the world from the present time to the future. It begins with the present time, and then describes the history of the world from the present time to the future. It ends with the future time.

6. The sixth part of the document is the fourth chapter, "The History of the World from the Future to the End of the World". It describes the history of the world from the future to the end of the world. It begins with the future time, and then describes the history of the world from the future time to the end of the world. It ends with the end of the world.

unanimously.

A discussion ensued on the issue of the Gazza parcels. The applicant is appealing the initial allocation contained in Letters of Interpretation approved at the February meeting. A public hearing on that appeal is to be set. A letter from Mr. Gazza to the Commission seeking guidance on "permitted uses of property" in the Core area was distributed to the Clearinghouse members as an information item. At this point it was stated that Parviz Zarabi has filed an appeal on Letters of Interpretation issued at the January meeting. The applicant met the 30 day deadline to appeal according to the date of his appeal notice. A public hearing shall be scheduled on this appeal as well. Both appeal hearings will be held at the next meeting.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to schedule the next Pine Barrens Clearinghouse Board of Advisors meeting on April 23, 1996 at 3:00 p.m at the Commission Office in Great River. The motion was carried unanimously.

A motion was made by Mr. Pally and seconded by Mr. Hanley to set a hearing for two credit allocation appeals, the subjects of the hearings to the appeals of Joseph Gazza and Parviz Zarabi. The hearings will be held consecutively on April 23, 1996 with the first to start at 3:30 p.m at the Commission Office. The motion was carried unanimously.

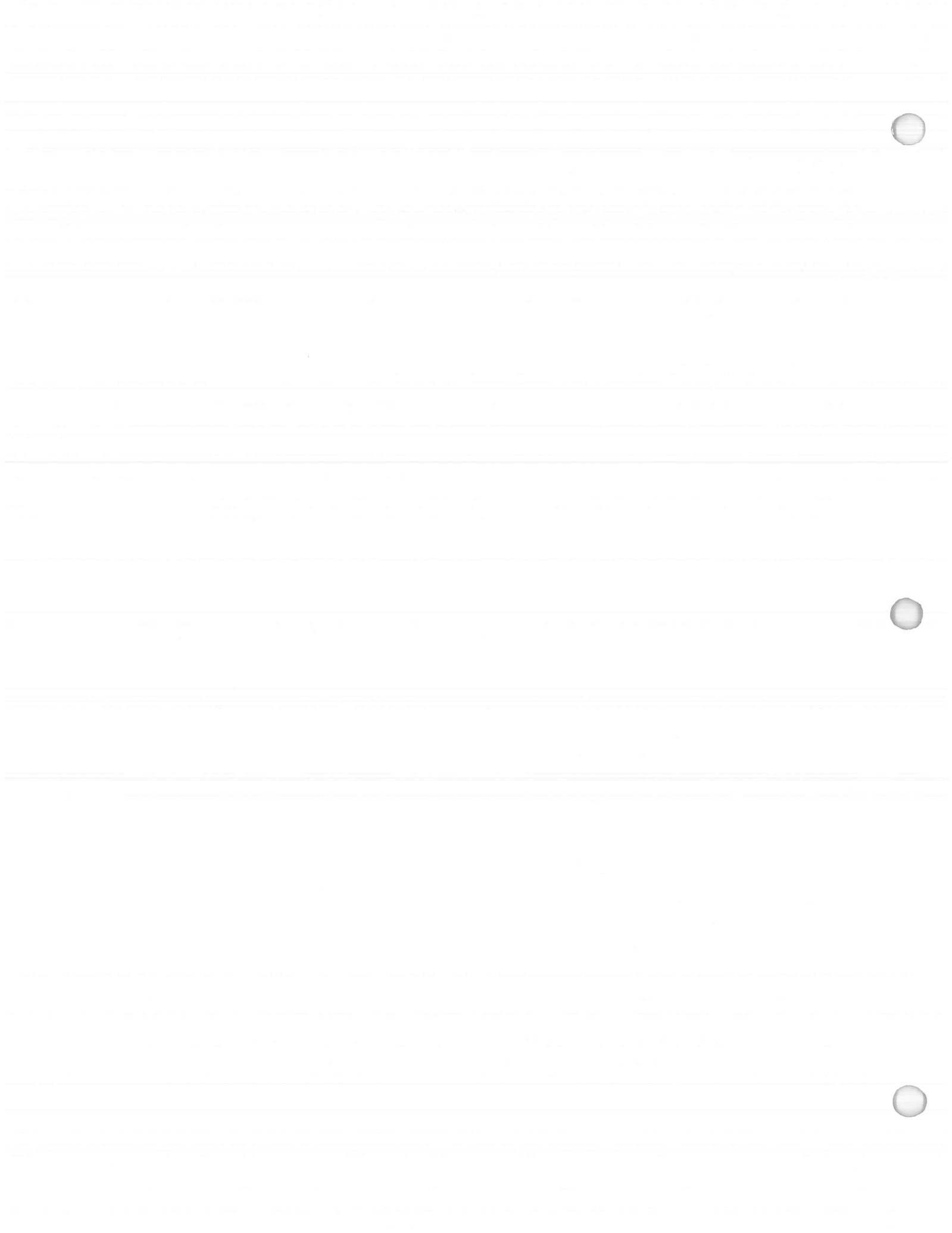
A motion was made by Mr. Duffy and seconded by Mr. Pally to adjust the allocation of 1.83 credits to 1.18 credits on the Gazza application (900-247-1-4.1). This adjustment was made because of a clerical error. The motion was carried unanimously.

A motion was made by Mr. Pally and seconded by Mr. Hanley to send Letters of Interpretation on the applications of Pasquale Izzo (200-511-3-12) and Ken and Susan Ruby (900-247-1-4.1) and to inform the applicants that Pine Barrens Credit Certificates will not be issued by the Clearinghouse until a copy of the deed for each parcel is received. The Letters of Interpretation were approved for issuance at the February meeting. The motion was carried unanimously.

At this point the Public Hearing on the Letter of Interpretation grievance took place. The subjects of the hearing being, the appeals of Bernard Meyer and Expressway 60 Patent.

4. Program Implementation

- Title Insurance and Insurance Policy
Summary: Mr. Tripp discussed costs associated with title reports and title insurance. He also discussed the option that if one credit or under was allocated that the fees would be waived but on larger parcels yielding numerous credit, the applicant be required to have a title report and insurance prepared at their expense. For the parcels generating one



credit or less, the applicant would be required to provide a copy of his/her tax bill and an affidavit stating they own the parcels and the parcel is not the subject of any judgments. For parcels which could receive a Pine Barrens Credit or more a title search and policy would be required. For larger parcels yielding 5, or more credits, the applicants would need to provide title reports and insurance. In this cases the Clearinghouse could require the applicant to provide a certified survey. After a discussion on this issue, it was decided that the imposing of fees would be done on a case by case basis. This proposal will be written up and submitted to the Commission for adoption and to other title experts for their review.

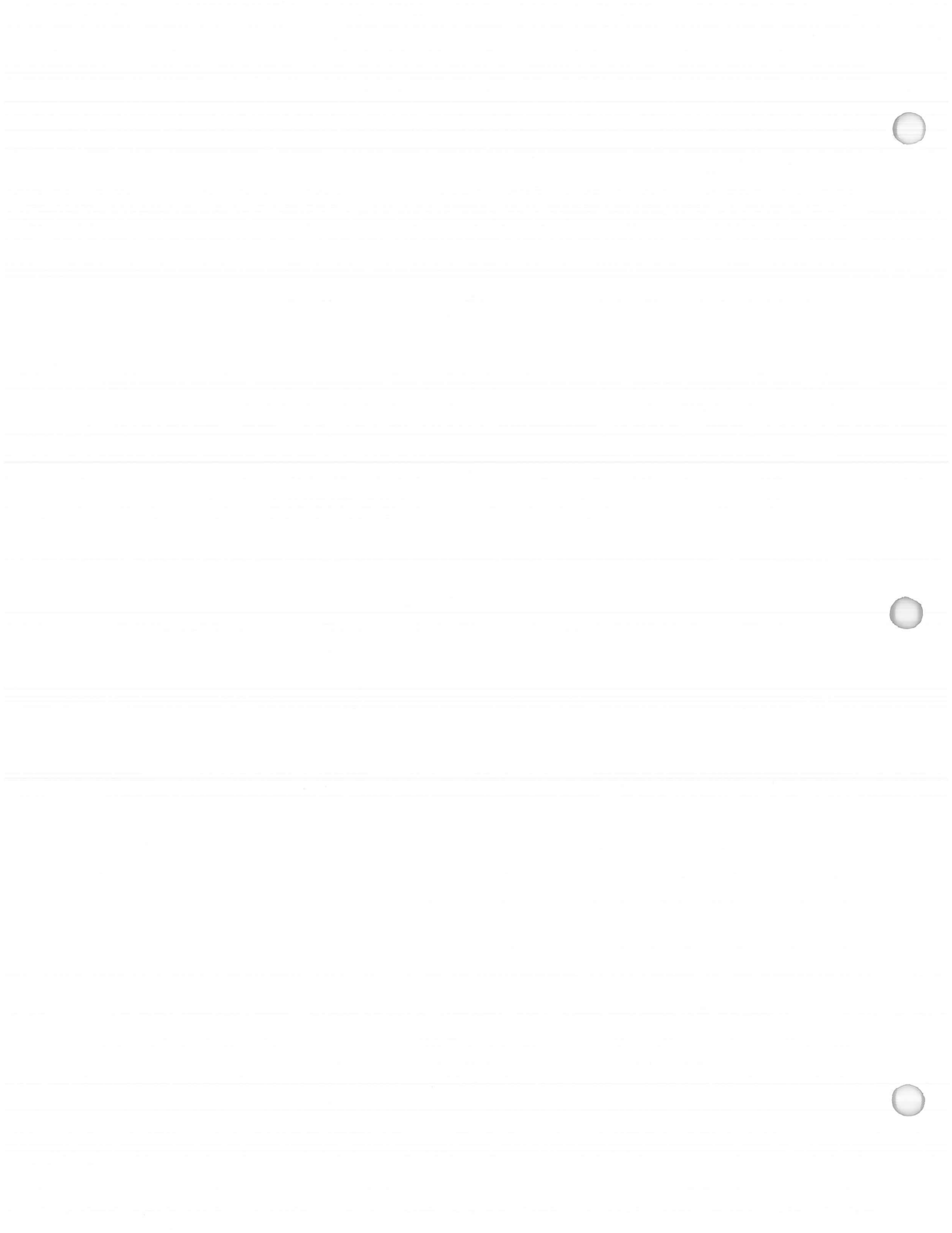
A motion was made by Mr. Hanley and seconded by Mr. Duffy to approve the concept of a fee waiver for smaller property owners. The motion was approved unanimously.

- Status of Non-Residential Allocation Formulae
Summary: A draft letter that would be sent to non-residential property owners was circulated. The Clearinghouse members reviewed and discussed the letter. Ms. Roth, General Counsel, expressed concern about the letter. This issue was deferred to executive session. A discussion ensued on the subject of non-residential credit allocation and how to deal with the problem. Mr. Tripp stated that a status report of the amount of non-residential credits should be given at the next meeting. The question arose as to whether or not any of the western towns in Suffolk County would be interested absorbing any Pine Barrens Credits and is there anything the Clearinghouse can do to get the ball rolling on this issue. This issue will be researched at a future date.
- Counsel's report on State legislation to charter Clearinghouse
Summary: General Counsel concludes that the proposed legislation is no longer needed and that the sponsors should withdraw the legislation.

At this point Mr. Tripp initiated a discussion regarding the proposed Plan amendments that would effect the Pine Barrens Credit Program and the operations of the Clearinghouse. He stated that the Clearinghouse should be allowed to handle the appeal process because the Commission has enough to deal with already. A discussion ensued on the appeal process and who should be in charge of it. It was decided that a proposal should be put together on this matter and presented to the Commission at their next meeting on April 3, 1996.

4. Acquisition of Pine Barrens Credits

- Strategy for Clearinghouse acquisition
Summary: Mr. Tripp stated that the comments on the Nicholas report are due in writing by April 19, 1996 so that they can be discussed at the April 23, 1996 Clearinghouse meeting. He also discussed the suggestion that Dr. Nicholas made at his presentation



regarding the Clearinghouse purchasing credits. The suggestion that Dr. Nicholas made was to offer the property owner 80% of the credit value. After a short discussion the preference of the Clearinghouse was to wait for the final report before values are set.

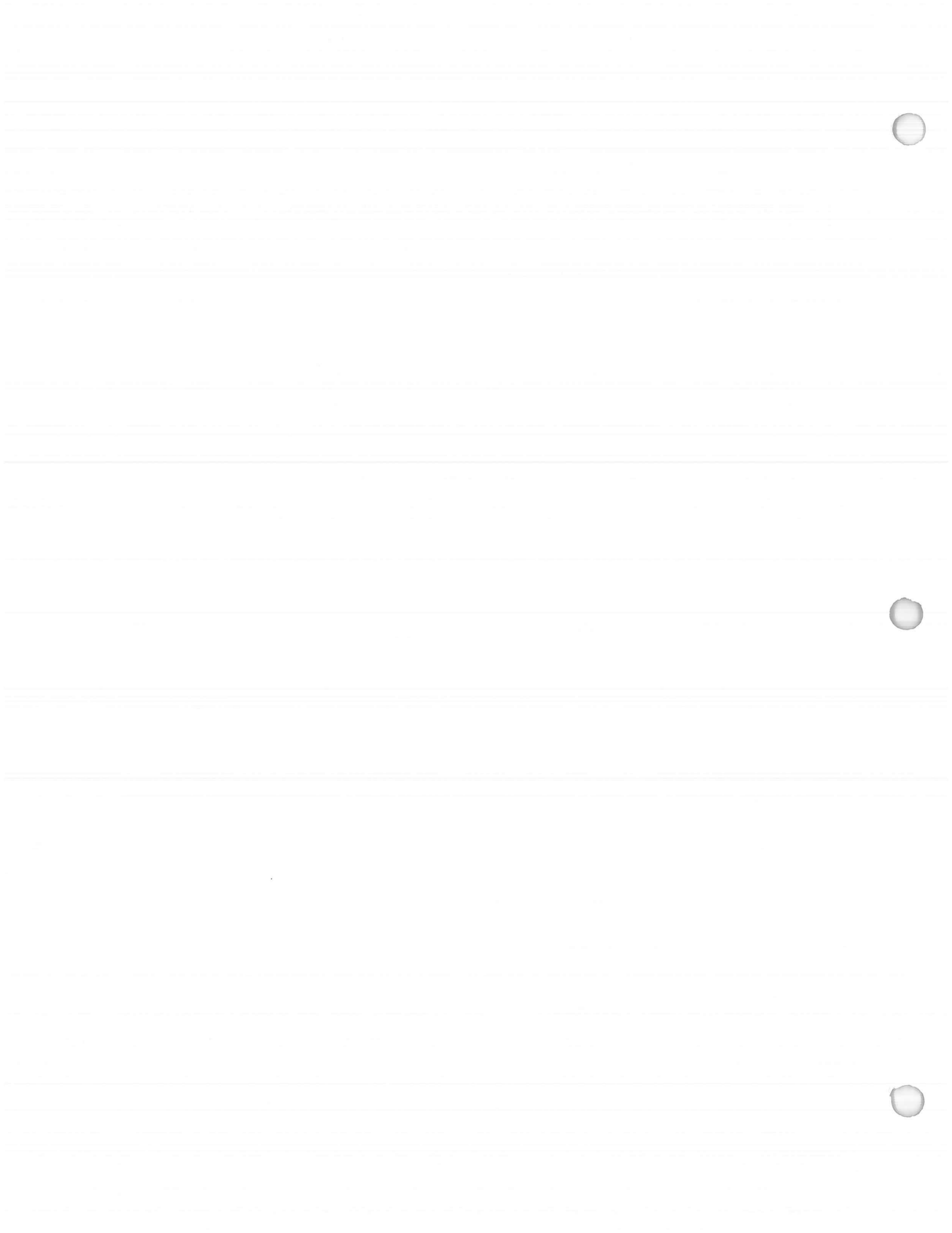
A motion was made by Mr. Duffy and seconded by Mr. Pally to hold a joint meeting with the Commission on May 29, 1996, 2:00 p.m., at Riverhead Town Hall. The motion was carried unanimously.

- Brookhaven Moratorium (not on the agenda)
Summary: It had been brought to the Clearinghouses attention that Brookhaven Town would be imposing a moratorium during the revision of the Town's Master Plan and that it could effect some of the receiving areas. It was determined that a letter should be sent to the Supervisor and the Town Board opposing the proposed moratorium. It was also mentioned that Brookhaven is already not in compliance with the Plan by not revising their town codes within 90 days of the Plan being adopted.

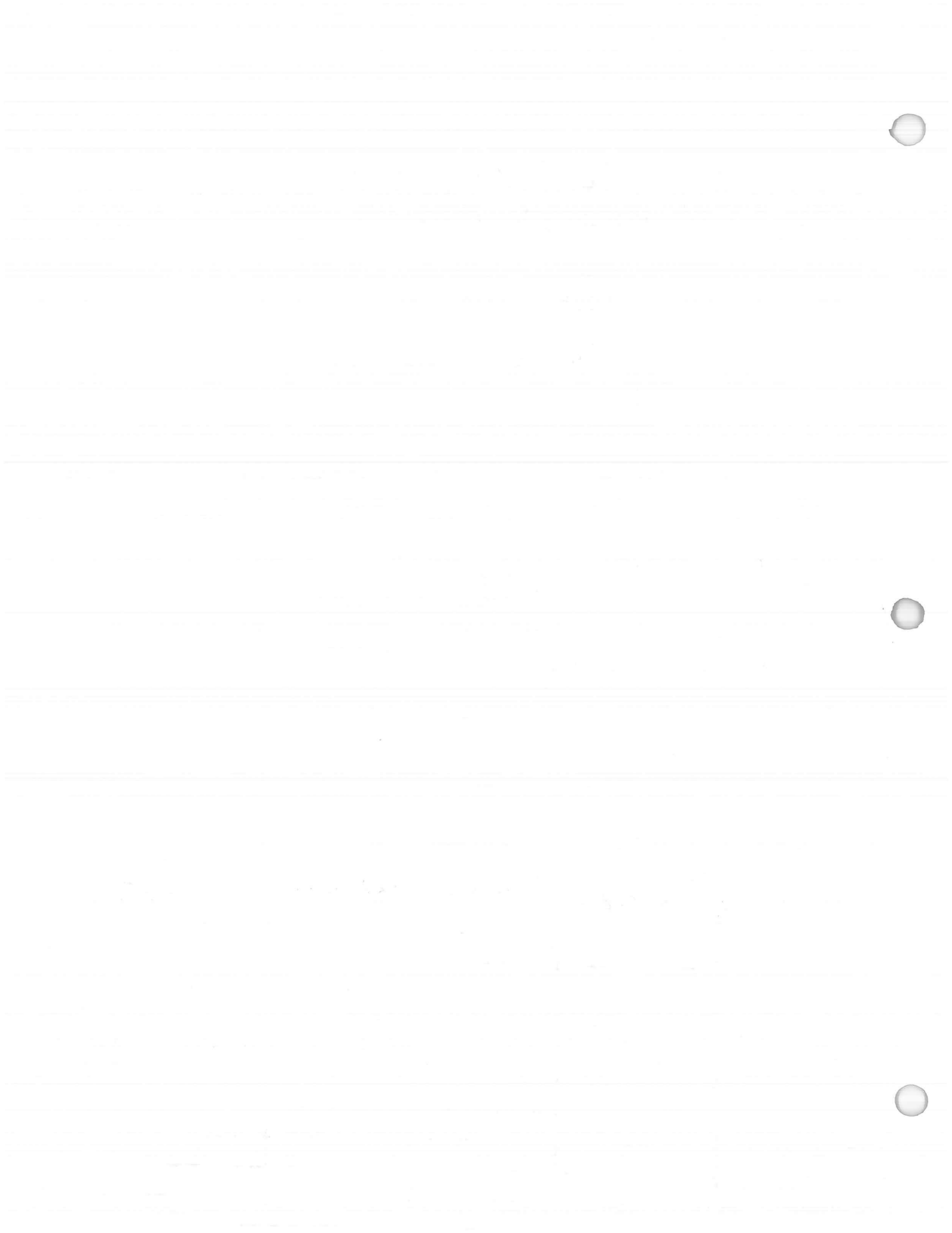
A motion was made by Mr. Pally and seconded by Mr. Hanley to send a letter to the Brookhaven Supervisor and Town Board opposing the proposed moratorium. The motion was carried unanimously.

- Clearinghouse Chairman's monthly report to Commission (not on the agenda)
Summary: It was mentioned by Ms. Roth, that the Commission members would like the Chairman of the Clearinghouse to give a monthly report to the Commission on the work to date of the Clearinghouse Board of Advisors. After a lengthy discussion, the conclusion was that the Clearinghouse members have many other commitments and would very difficult to fill this request. Mr. Hanley suggested periodic joint meetings of both boards as a compromise.

A motion was made by Mr. Pally and seconded by Mr. Hanley to enter executive session. The motion was carried unanimously.



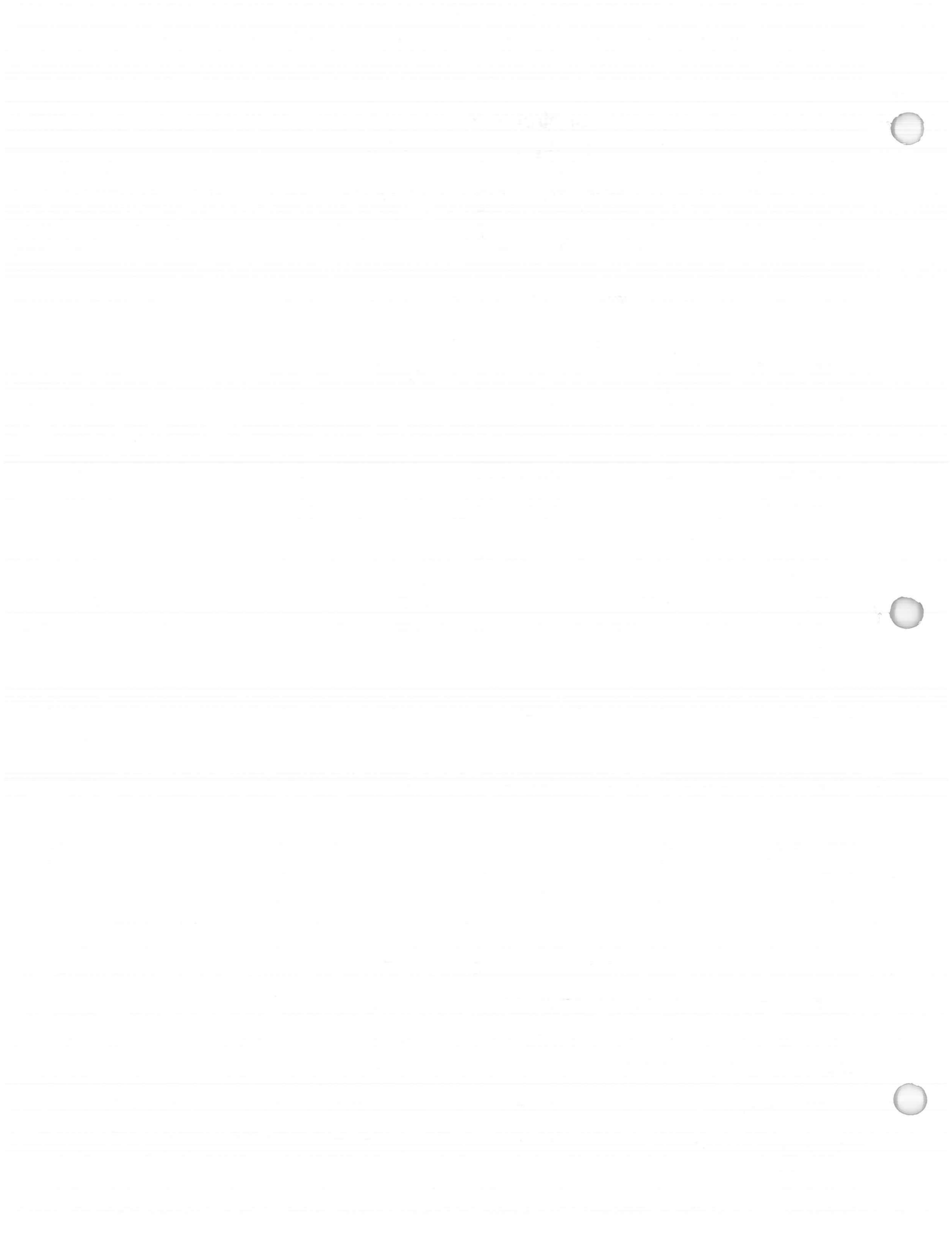
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Speaker Sign In Sheet

Meeting Place Commissioner Office

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PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ. , *CHAIRMAN*
ROBERT J. DUFFY, A.I.C.P., *MEMBER*
ALLAN D. GRECCO, ESQ., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ. , *MEMBER*

March 29, 1996

Honorable Felix Grucci, Jr.
Supervisor Town of Brookhaven
3233 Route 112
Medford, New York 11763

Re: Proposed Moratorium - Chapter 17

Dear Mr. Grucci:

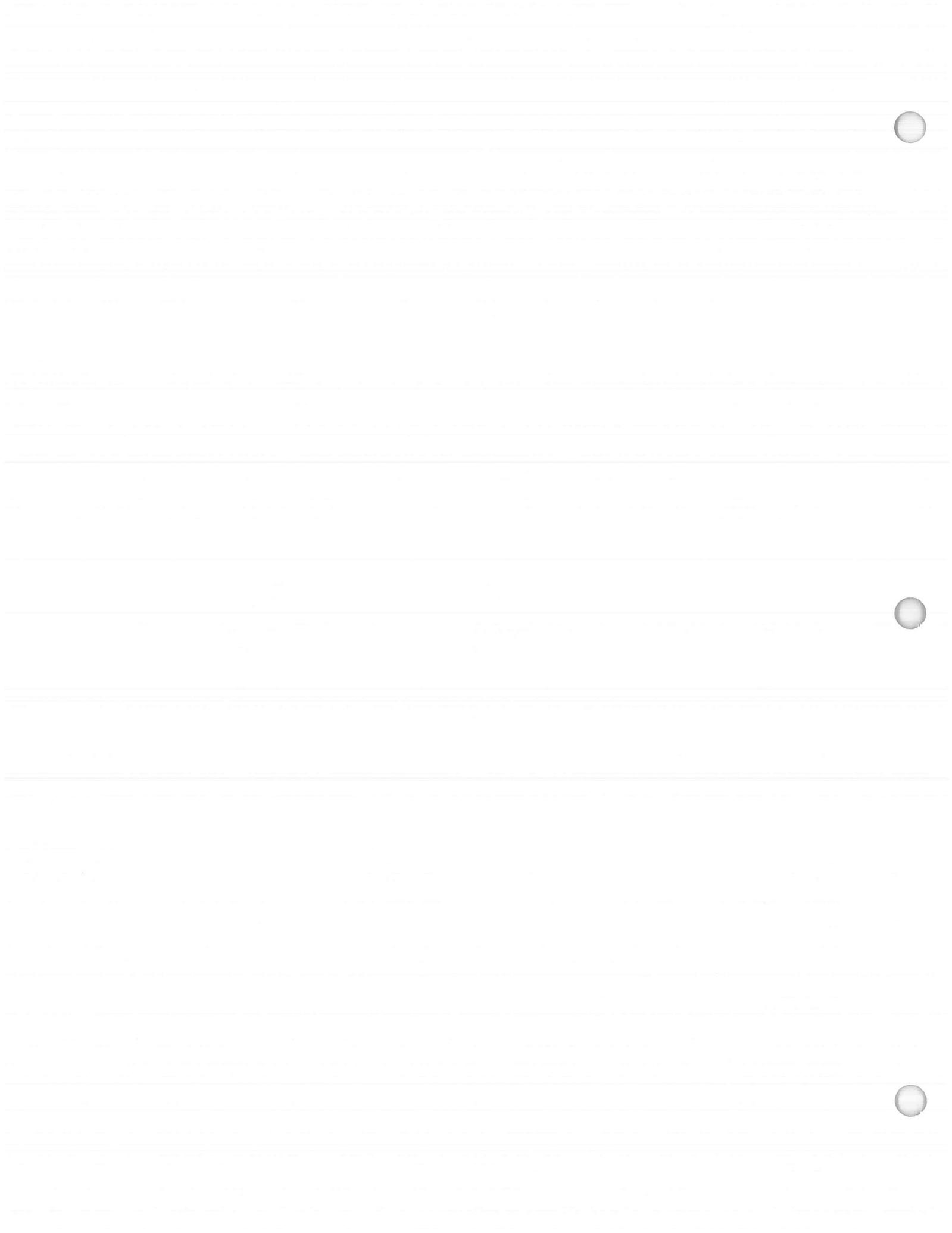
The Town of Brookhaven has taken great strides in creating what should be a highly effective and successful transfer of development rights program. However, the Pine Barrens Credit Clearinghouse has recently learned that the Town is considering the enactment of a building moratorium for land located in certain study areas within the Town. This moratorium is of some considerable concern to the members of the Clearinghouse because of its potential impact on the value of credits and may hinder effective implementation of the program.

The Clearinghouse has determined that the Study Areas B, C, D, F and G include designated "as-of-right" receiving areas with the potential of absorbing 114 Pine Barrens Credits. While it appears that Brookhaven might still meet the Central Pine Barrens Comprehensive Land Use Plan sending area to receiving area ratios without these sites, the Clearinghouse is concerned that this proposed action will reduce confidence in the program at its most critical early stages.

Second, it appears that the proposed moratorium includes what may be considered very desirable "as-of-right" receiving areas. Third, depending on the length of the moratorium, it could impact the viability of other potential receiving area sites including Planned Development Districts.

For these reasons we would request that the Town Board fully evaluate the impacts that the proposed moratorium could have on the PBC Program before adopting Chapter 17 and urge the Town to modify Chapter 17 to eliminate any potential adverse impacts. In addition, we request that the Town Board consider how any changes in the Town's zoning pursuant to the on-going master plan revision affects the integrity of the PBC Program. We are confident that you

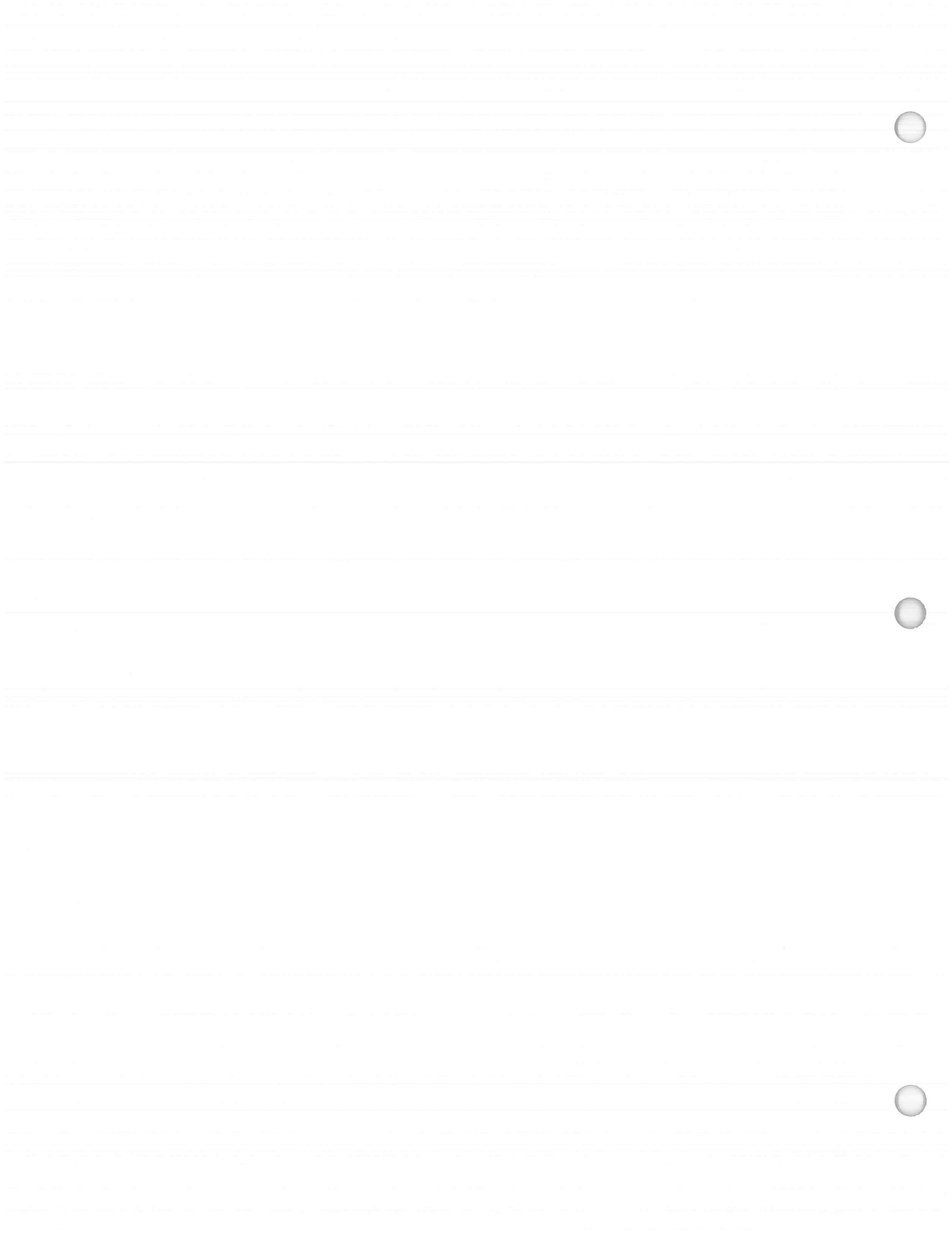
P.O. BOX 587, 3525 SUNRISE HIGHWAY, 2ND FLOOR, GREAT RIVER, NEW YORK 11739-0587
516-563-0385 / FAX 516-277-4097



agree with us that any revision to the Master Plan should reinforce and be integrated with the PBC Program. Please feel free to contact me at (212) 505-2100, if you have any questions on this important matter.

Very truly yours,

James T. B. Tripp



*Parcels Affected by Moratorium
Study Area B*

200-132-2-1	32.0				
200-132-4-2.1	6.45	A1	472201	5	6

Study Area C

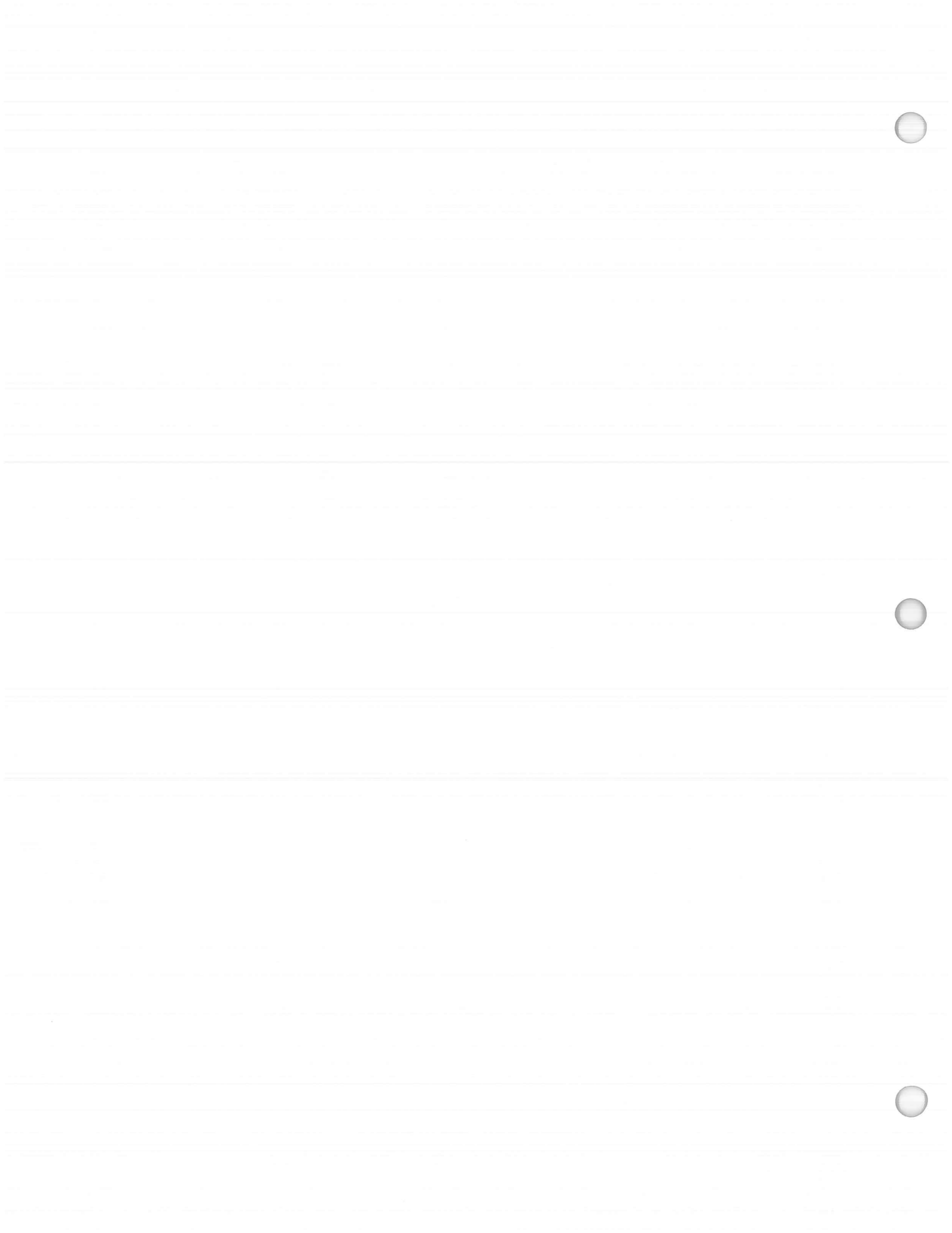
200-229-3-27	4.0	A1	472203	3	4
200-230-1-47.1	4.5	A1	472203	3	4
200-256-6-2	9.64	A1	472203	7	9
200-339-1-40.2	13.94	A1	472212	11	13
200-371-4-33	5.36	A1	472212	4	5
200-450-2-2	7.05	A1	472212	5	7
200-450-2-6	6.09	A1	472212	4	5

Study Area D

200-495-5-7.1	47.81	A1	472212	38	47
200-544-1-1	83.5	A1	472212	66	82
200-544-1-2	19.70	A1	472212	15	19
200-544-1-5	7.17	A1	472212	4	7
200-544-1-8.2	15.72	A1	472212	12	15
200-544-1-10.1	7.85	A1	472212	5	6
200-575-1-6	4.97	A1	472212	3	4
200-575-1-7	4.98	A1	472212	3	4
200-575-2-3	11.96	A1	472212	9	11
200-575-2-4	9.95	A1	472212	7	9
200-575-2-5	13.92	A1	472212	11	13
200-575-2-6	4.95	A1	472212	3	3
200-607-1-9	9.34	A1	472212	6	8

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	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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200-607-1-10.1	8.97	A1	472212	7	8
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200-608-2-4	4.04	A1	472212	3	4
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200-633-2-17.1	6.58	A1	472224	4	5
200-633-3-10.2	4.47	A1	472212	3	4
200-633-3-11	4.69	A1	472212	3	4
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200-634-1-4*	5.8	A1	472212	4	5
200-634-1-5	4.78	A1	472212	3	4
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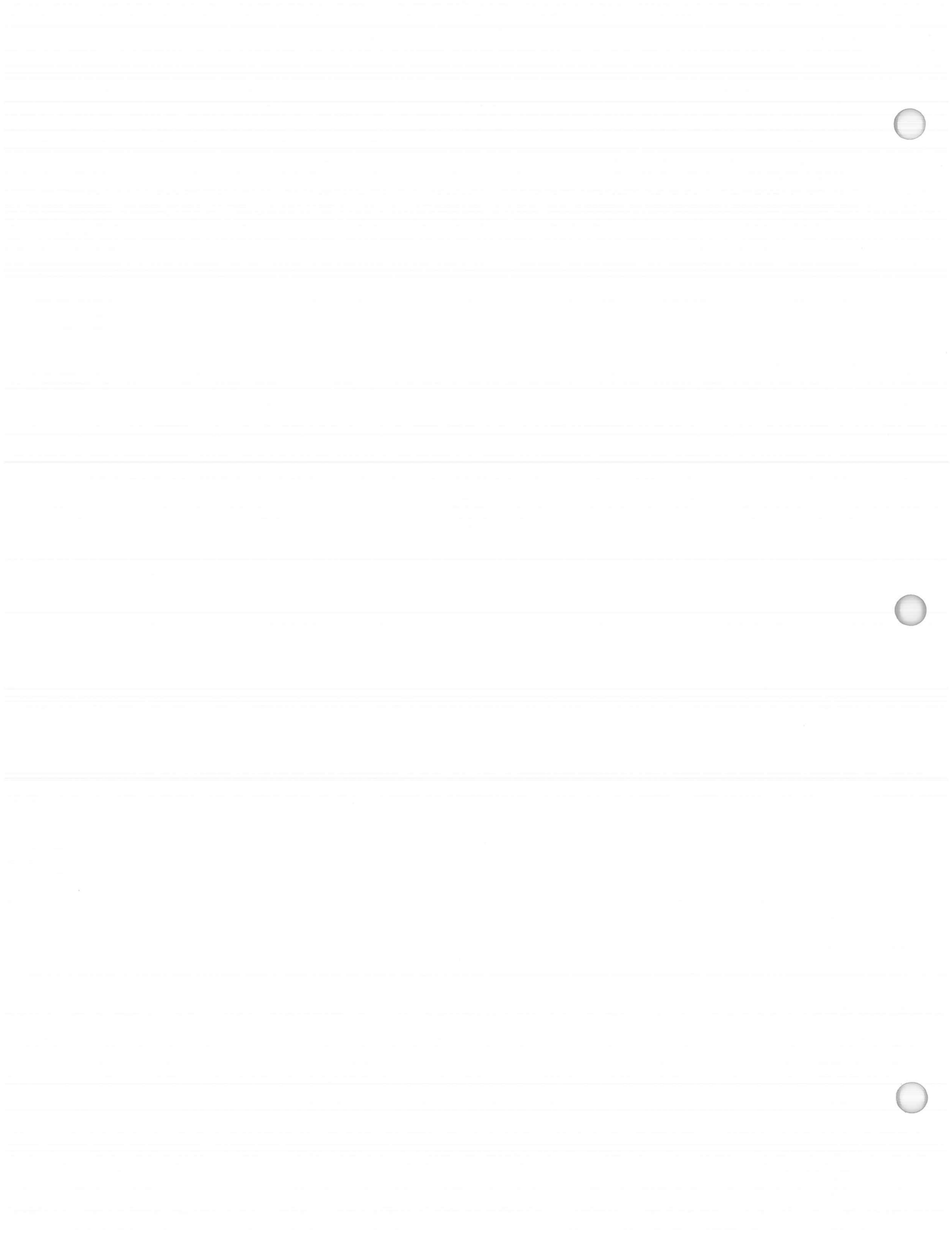
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200-660-4-15	45.79	A1	472212	36	45
200-700-1-2	9.48	A1	472224	7	9
200-701-3-19	5.0	A1	472224	4	5
200-702-1-4	6.52	A1	472212	5	6

Study Area F

200-297-1-2	4.99	A1	472212	3	4
200-297-1-13	6.25	A1	472212	5	6

Study Area G

200-589-1-5	14.98	A2	472221	5	7
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PINE BARRENS CREDIT CLEARINGHOUSE

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

Clearinghouse Agenda (Final) for April 23, 1996, 3:00 P.M. SCWA Technical Services Building, Great River

1. Administrative

- Public comment period
- Adoption of March meeting minutes (*attached*)

2. Pine Barrens Credit Program Capitalization Funds

- Comments of John Cochrane, Suffolk County Treasurer

3. Public Hearings (Scheduled for 3:30 pm)

1. 16 Letters of Interpretation issued to Parviz Zarabi
2. Letters of Interpretation issued to Joseph Gazza

4. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretations

- Summary of Clearinghouse applications (*to be distributed*)
- Issuance of Letters based on staff reports (*to be distributed*)

B. Pine Barrens Credit Certificates

- Status of Nicholas Aliano's application
- Applications of Arthur Rabinowitz and others

C. Appeal Decisions

- Expressway 60 Patent and Bernard Meyer Appeal

5. Program Implementation

- Report on Commission Policy on Title Issues
- Status of non-residential allocation formulae

6. Acquisition of Pine Barrens Credits

- Strategy for Clearinghouse acquisition of Pine Barrens Credits

7. Meeting Schedule

8. Executive Session (*if needed*)

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

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., CHAIRMAN
ALLAN D. GRECCO, ESQ., VICE CHAIRMAN
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JOHN F. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for April 23, 1996 (FINAL) Central Pine Barrens Joint Planning and Policy Commission Office Great River, New York 3:00 p.m.

Present: Board members included Mr. Tripp (representing Brookhaven), Mr. Duffy (representing Southampton), Mr. Grecco (representing Suffolk County), Mr. Hanley (representing Riverhead), and Mr. Pally (representing New York State). Also in attendance were Ms. Roth, General Counsel to the Commission, Mr. Corwin, Executive Director to the Commission, Staff members Ms. Trezza, Mr. Milazzo, Ms. Plunkett, and Mr. Spitz. Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order by Mr. Tripp at 3:07 p.m.

1. Administrative

- Public Comment period:
At this time there were no public comments.
- Adoption of March meeting summary:

A motion was made by Mr. Pally and seconded by Mr. Grecco to adopt the meeting summary of March 26, 1996 as amended. The motion was approved unanimously.

2. PBC Program Capitalization Funds

- Capitalization Funds Update and Comments of John Cochrane, Suffolk County Treasurer
Summary: John Cochrane handed out and went over the monthly financial report for March '96. It was noted that Extebank was acquired by North Fork Bank. The Treasurer's report is attached.

3. PBC Clearinghouse Applications

- Summary of Clearinghouse Applications
Summary: Mr. Milazzo gave a brief overview of the complete applications for Letters of

Interpretation received by the Clearinghouse to date. Staff reports and work sheets for the applications were distributed to Clearinghouse members. The Board members voted on a series of resolutions following the summary that was given by staff members.

A motion was made by Mr. Duffy and seconded by Mr. Grecco to allocate 4.0 credits on the John Migliore application (200-454-1-8). The motion was approved unanimously.

A motion was made by Mr. Tripp and seconded by Mr. Duffy to allocate 1.0 credits on the Wading River Northeast Assoc. (200-461-2-11). The motion was carried unanimously.

A motion was made by Mr. Pally and seconded by Mr. Duffy to allocate 0.1 credits on the Lucille Musicus application (200-503-1-28). The motion was carried unanimously.

A motion was made by Mr. Pally and seconded by Mr. Duffy to allocate a total of 8.0 credits on the John Migliore applications (200-480-3-1; 2). The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Grecco to allocate 0.10 credits on the Lucille Musicus application (200-530-7-51). The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Grecco to allocate 0.10 credits on the Wodnal Montauk Recreational Corporation application (900-161-2-39). This parcel is an overlap parcel within the Town of Southampton. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Grecco to allocate 0.90 credits on the Ida Lesserson/Reva Rothenberg application (900-172-1-50). The allocation was determined by using Southampton's allocation formula. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Tripp to allocate 0.10 credits on the Marjorie Kaplan application (900-193-5-5). The allocation was determined by using Southampton's allocation formula. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate 0.40 credits on the Joseph and Patrick O'Rourke applications (900-212-5-3; 4; 6; 7). The allocation was determined by using Southampton's allocation formula. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Tripp to allocate 0.20 credits on the Thomas Zukas application (900-215.3-1-8). The allocation was determined by using Southampton's allocation formula. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate a total of 0.60 credits on the Joseph and Patrick O'Rourke applications (900-235-1-50;51; 53; 54.1; 54.2; 57). These allocations was determined by using Southampton's allocation formula. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Grecco to allocate 0.10 credits on the Wodnal Montauk Recreational Corporation application (900-235-1-88). The allocation was determined by using Southampton's allocation formula. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Hanley to allocate 0.28 credits on the Warren Paro application (900-331-4-4). The allocation was determined by using Southampton's allocation formula. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Tripp to allocate 0.38 credits on the Revida Corporation application (900-333-2-31). The allocation was determined by using Southampton's allocation formula. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Grecco to allocate 0.10 credits on the Parviz Zarabi application (200-511-6-47). The allocation is contingent upon the receipt of a deed. The motion was carried unanimously.

- Hearing Policy (not on the agenda)
Summary: The issue of cost related to holding public hearings was discussed by the Clearinghouse members. Mr. Tripp seemed to feel that costs associated with a hearing would be a burden to the applicants with 5 credits or less. After a brief discussion, it was decided that a policy will be put in place by the next meeting. All costs to date will be absorbed by the Clearinghouse.

Public Hearings on the Letter of Interpretation appeals of Parviz Zarabi and others, Joseph Gazza, Expressway 60 Patent and Bernard Meyer.

4. Acquisition of Pine Barrens Credits

- Strategy for Clearinghouse Acquisition of Pine Barrens Credits
Summary: Mr. Tripp summarized a proposed policy for Clearinghouse acquisition of Credits. The proposed policy consists of two parts. The first establishes the purchase price. The second establishes the criteria. The policy was to be a starting point for the

Commission debate and was not binding upon the Commission. Ms. Roth stated that the Commission was looking for a recommendation from the Clearinghouse by the May 1, 1996 meeting. It was decided that the initial proposed policy would contain language allowing the Clearinghouse to revisit it's offering price as market forces dictate.

A motion was made by Mr. Hanley and seconded by Mr. Duffy to recommend the initial proposed Pine Barrens Credit acquisition policy to the Commission for their review. Messrs. Duffy, Hanley, Pally and Tripp voted for the motion. Mr. Grecco abstained from the vote.

5. Meeting schedule

A motion was made by Mr. Pally and seconded by Mr. Duffy to cancel the May 29, 1996 joint meeting with the Commission and reschedule it for May 15, 1996 at 2:00 p.m., Brookhaven Town Offices, Building 4 conference room. The motion was carried unanimously.

- **Rabinowitz applications**

Summary: Mr. Grecco stated that he reviewed the Pine Barrens Credit Certificate applications submitted by Jim Wightman for Arthur Rabinowitz and others. He noted that the title report information was only a title search confirmation. Therefore given the information before the Clearinghouse, a decision could not yet been made on whether to issue Pine Barrens Credit Certificates. Staff was directed to contact the applicant's representative.

The meeting ended at 6:50 p.m. There was no motion to adjourn.

Central Pine Barrens Joint Planning and Policy Commission

Meeting For: PBC Clearinghouse

Location: Commission Office

Date /Time: 4/23/96 3:00

NAME	CPB Comm. REPRESENTING	Great River ADDRESS	TELEPHONE/FAX
<i>[Signature]</i>	CPBC/SCWA	3525 Sunrise Hwy Great River	563-0385/277-4098
VI HOGLYND	37 DIETZ AVE	LAKE GROVE	- 588-8459
D. MORAN	SCDHS	225 RABBIT DR. HAUP	853-3084
<i>[Signature]</i>	CPBC	Box 202 BRIGHTWATERS	212-559-3648 (0)
HENRY R. DITTMER	C.P.R.	P.O. Box 202 BRIGHTWATERS NY	665-2020
ED QUAREMBA	NASSAU	56 PARKVIEW CIR	BETHPAGE 433-8145
Bill Spitz	Ray S. Coven	NYSDC SUNY CAMPUS SUNY ROCK	444-0419
T.J. ZUKAS	Self	84 Pine Elm Dr. E. MANHES	878-9473
ERNEST HOFFSTAETER	ZARADI	5 RIVERSIDE AVE	WASTIC BORO 399-0367
Donna Pankett			
Joan Cochran	Suffolk County	330 Cedar Drive Riverhead NY	516-852-1500
Mattie Kelly	Gov. Pataski	Commack 80 Houshaggs Rd.	493-3002/499-2194
Robert Duffy	Town of Southampton	Southampton	287-5735
Tim Tripp	Brookhaven	297 252 Park Ave New York 10010	212-505-2100
Allan Grecco	Co. of Suffolk	Bldg 158 N. complex Hammam	516-853-5928
John F. Hanley	RIVERHEAD TOWN	322 RIVINGTON AVE	516-727-0396
PHILIP SANDERMAN	MEYER	1770 MOUNTAIN HWY HAUPPUGUE	232-1742/232-1938
JOSEPH F. GAZZA	SELF	5 Ogden Lane Quogue NY 11959	(516) 653-5766
ING. J. SCHMEIZER	Self	274 Town Rd Calverton NY 11933	(516) 727-5217
Corey N. Swan	Self Caretaker Agriculture Inc Shorelands Inc	389 Montauk Hwy PO Box 3042 E. QUOGUE NY	(516) 653-6657
Pamela Zander	Zaradi & ETC.	39 TANNERS GREAT NK. N.Y 11020	(516) 829-5060
MIKE BARBARAN.	Self.	215 1st St Apt. 4F 11768	75215-36 (516) 484-4278
Mansour Baradaran Zabani		135 Dignwood Ave P.O. Box 111226	

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
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JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

May 13, 1996

Dear Property Owner:

The Pine Barrens Commission recently completed mailing the *Pine Barrens Credit Program Handbook* to all known owners of property within the Core Preservation Area. The *Handbook* describes the procedure for the sale and transfer of development rights (known as Pine Barrens Credits) from Core Preservation Area property to designated receiving areas. As part of that mailing, you may have received a letter similar to this one.

A function of the Clearinghouse is to facilitate private transactions in Pine Barrens Credits. To this end, the Clearinghouse created the *Pine Barrens Credit Registry*. The *Registry* contains lists of people who may be allocated credits and who would be interested in selling them on the private market. The *Registry* is available to people who are interested in purchasing Pine Barrens Credits. By placing your name on the *Registry* you are providing maximum exposure to your potential Pine Barrens Credits. However, to obtain the Pine Barrens Credits you may be eligible for, you must complete the applications as specified in the *Handbook*.

If you are interested in being listed and would like the Clearinghouse to provide your name to potential buyers, please notify the Clearinghouse by completing and returning this form. Upon receipt of the completed form this information will be placed on the *Registry*.

There is no charge or commission for this non-binding service. If you have any questions or if you did not receive your copy of the *Handbook*, please call the Clearinghouse staff.

I authorize the Clearinghouse to provide my name to potential buyers for the possible sale of Pine Barrens Credits. My name, mailing address, telephone, and the tax map number of the Core Preservation Area property are set forth below.

Name: _____ Phone: _____ (H)
_____ (W)

Mailing Address: _____

Tax Map Number: _____ - _____ - _____ - _____

The tax map number is located on the top left corner of your tax bill.

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*

ALLAN D. GRECCO, ESQ., *VICE CHAIRMAN*

ANDREW P. FRELENG, A.I.C.P., *MEMBER*

JOHN F. HANLEY, *MEMBER*

MITCHELL H. PALLY, ESQ., *MEMBER*

TO: Clearinghouse Board Members and Counsel

FROM: John C. Milazzo

RE: Materials for Clearinghouse Meeting of November 26, 1996

DATE: November 22, 1996

Please find enclosed the draft agenda for Tuesday's meeting and the draft minutes from last month's meeting. You should have received the proposed conservation easement for the Warner property from Counsel this week.

As you will notice, an item on the agenda is to allow the Clearinghouse to serve as an escrow agent between purchasers and sellers of PBCs. Purchasers of PBCs have been using the information contained on the Pine Barrens Credit Registry to contact Letter of Interpretation (LOI) holders seeking to purchase the PBCs represented by the potential seller's LOI. However, given that many LOI holders are not on Long Island, although both can agree in principal on the terms of PBC sale, they have not been able to schedule a traditional real estate closing. Both the purchasers and sellers have want to know what the Clearinghouse can do to assure that one party does not rely on the other and mail either a check or a PBC Certificate without assurances that the other party will do the same. It is suggested that the Clearinghouse could be an escrow agent who would receive both checks for the purchase of PBC Certificates and the PBC Certificates purchased. Once the office has both items, it would mail the appropriate documents to the respective party. This should provide both sellers and purchasers with confidence in their agreements and would facilitate PBC transactions.

If you have any questions on these materials or this proposal please feel free to contact me at (516) 563-5692.

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

Commission Agenda (DRAFT) for May 15, 1996 Joint Meeting with Pine Barrens Credit Clearinghouse Board of Advisors Brookhaven Town offices, Building 4, Medford / 2:00 pm

1. Administrative

- Public comments
- Draft summary for 5/1 Commission meeting: corrections, approval (*faxed*)
- Draft summary for 4/23 Clearinghouse meeting: corrections, approval (*faxed*)
- Clearinghouse meeting schedule
- Draft budget for 1996-97 fiscal year: status

2. Core Preservation Area

- Gazza / Southampton: Clearinghouse public hearing on allocation appeal (*2:30 pm; continued of 4/23 hearing; 5/20 deadline*)
- Letter of Interpretation: summary of applications; issuance of new letters
- PBC Certificates: application summary
- Expressway 60 Patent / Manorville: credit appeal decisions (*5/15 deadline*)
- Parviz Zarabi / Manorville: credit appeal decision (*5/15 deadline*)

3. Compatible Growth Area (*Commission*)

- Manorville Nursery Expansion / Manorville: materials; setting of hearing
- Application of clearing standard to small, ZBA approved lots
- Quogue Quick Storage / Quogue Village: staff overview
- Change of zone referrals and SEQR coordinations (*faxed; follow up from 5/1*)

4. Pine Barrens Credit Program

- Suffolk County Treasurer's report: Mr. Cochrane
- Draft agreement with SC Treasurer: discussion
- Pine Barrens Credit valuation: status of final report
- Nonresidential property credit allocation: status of work
- Title policy: payment of title insurance fees, implementation
- PBC purchase policy: discussion, proposed letter
- Extension of appeal time for past recipients of interpretation letters: proposed letter

5. Plan Implementation

- ECL Article 57 amendments: status
- Riverhead Town code amendments: status

6. Executive Session

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannusdo, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

Commission Agenda (FINAL) for May 15, 1996 Joint Meeting with Pine Barrens Credit Clearinghouse Board of Advisors Brookhaven Town offices, Building 4, Medford / 2:00 pm

1. Administrative

- Public comments
- Draft summary for 4/23 Clearinghouse meeting: corrections, approval (*faxed*)
- Clearinghouse meeting schedule
- Draft budget for 1996-97 fiscal year
- Proposed joint meeting with Advisory Committee: at 5/29 Commission meeting

2. Core Preservation Area

- Gazza / Southampton: Clearinghouse public hearing on allocation appeal (*2:30 pm; continuation of 4/23 hearing; 5/20 decision deadline*)
- Letter of Interpretation: summary of applications; issuance of new letters
- PBC Certificates: application summary; issuance of first certificate
- Expressway 60 Patent / Manorville: credit appeal decisions (*5/15 deadline*)
- Parviz Zarabi / Manorville: credit appeal decision (*5/15 deadline*)

3. Compatible Growth Area (*Commission*)

- Manorville Nursery Expansion / Manorville: materials; setting of hearing
- Application of clearing standard to small, ZBA approved lots
- Quogue Quick Storage / Quogue Village: staff overview
- Change of zone referrals and SEQR coordinations (*faxed; follow up from 5/1*)

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- Draft agreement with SC Treasurer: discussion
- Pine Barrens Credit valuation: status of final report
- Title policy: payment of title insurance fees, implementation
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Commission Meeting Summary (DRAFT) for May 15, 1996 (To be approved) Joint Meeting with Pine Barrens Credit Clearinghouse Board of Advisors Brookhaven Town offices, Building 4, Medford / 2:00 pm

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

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

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

Administrative

- **Public comments**

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

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

Second, the Advisory Committee has received and discussed the Commission's letter via counsel regarding the Advisory Committee's functions under the pine barrens law. He reported that the Advisory Committee does not agree with the Commission's position,

and that many of the members helped to design the law. He observed that the Advisory Committee has decided not to focus on that disagreement, but rather on the issue of funding the acquisition program.

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

Pine Barrens Credit Program

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

Commission Administrative

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

A motion was made by Mr. Cowen and seconded by Mr. Freleng to approve the attached draft budget for the Commission's administrative funding for the 1996-97 fiscal year. The motion was approved by a vote of 5-0.
- Financial disclosure (not on the original agenda)
Summary: Mr. Girandola asked whether the staff members file financial disclosure forms. Ms. Roth replied that the staff members are not required to, since they do not hold policymaking positions. Mr. Corwin noted that he has one on file already with Suffolk County since he is a County Park Trustee.
- Proposed joint meeting with Advisory Committee: at 5/29 Commission meeting
Summary: Mr. Corwin explained that the Advisory Committee has proposed a joint meeting with the Commission at the previously scheduled Commission meeting on 5/29/96. Mr. Girandola suggested that a separate Commission meeting date be scheduled for only that purpose. That was informally agreed, and the staff will coordinate the selection of such a date.

Compatible Growth Area (Commission)

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

A motion was made by Mr. Girandola that no public hearing be held on the Manorville Nursery Expansion application, and stated that Brookhaven Town will provide all minutes of the hearings which have been held on this project. The motion was then seconded by Mr. Freleng for purposes of discussion. In the ensuing discussion, it was agreed that the Commission can still ask the applicant for additional materials as deemed necessary. Mr. Cowen stated that he was unwilling to vote for such a resolution today without reviewing the materials distributed at today's meeting. The discussion touched upon the project's conformance with the Plan, and the overall requirements of the statute. The motion was then approved by a vote of 4-1, with the dissenting vote cast by Mr. Cowen.

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

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

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

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

A motion was then made by Ms. Filmanski and seconded by Mr. Freleng to (1) accept the applicant's request for an extension of the Commission's decision deadline on this application to 6/12/96 and (2) to accept a request by Mr. Marcks today to convert the current application to an application for a CGA hardship

application. The motion was approved by a vote of 4-1, with the dissenting vote cast by Mr. Girandola.

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

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

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

Pine Barrens Credit Program

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

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

Mr. Cochrane left at this point.

Plan Implementation

- ECL Article 57 amendments: status
Summary: Mr. Corwin reported that the amendments, bill number A8846A/S6112A, have been passed by the Assembly, and are awaiting action by the Senate.
- Riverhead Town code amendments: status
Summary: Ms. Filmanski provided copies of the Riverhead Town code amendments which have been adopted by the Riverhead Town Board already. Ms. Roth will examine

the amendments and they will be placed on the agenda for the 5/29/96 meeting.

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

Clearinghouse Administrative

- Draft summary for 4/23 Clearinghouse meeting: corrections, approval (faxed)
Summary: **A motion was made by Mr. Hanley and seconded by Mr. Grecco to approve the summary of the Clearinghouse meeting of 4/23/96. The motion was approved by the Clearinghouse Board by a vote of 4-0.**

Core Preservation Area

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

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

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

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

A motion was made by Mr. Grecco and seconded by Mr. Pally to allocate 6.54 credits on the application of Louis Gartenberg (600-137-4-11.6), and to stipulate that the allocation may be reduced by 1.00 credit if a dwelling is determined to be on that parcel. The motion was approved by the Clearinghouse Board by a vote of 4-0.

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

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.10

credit on the application of Peter E. George, Jr. (900-212-6-16). The motion was approved by the Clearinghouse Board by a vote of 4-0.

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

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

- PBC Certificates: issuance of first certificate

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

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

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

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

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

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

- Expressway 60 Patent and Bernard Meyer / Manorville: credit appeal decisions (5/15 deadline)

Summary: Mr. Tripp noted that single and separate status is not necessarily a basis for a full credit being allocated to a parcel, however, the Plan does acknowledge the significance of certain roadfront parcels in the core area. He also discussed the State Wild, Scenic and Recreational Rivers Act regulations, and announced that those constraints will not be applied in deciding this appeal. Mr. Grecco also noted that the County's Health Code Article 6 was considered as well. It was decided to issue a total of 21.8 credits for all parcels involved. **A motion was then made by Mr. Hanley and seconded by Mr. Grecco to issue a total of 21.8 credits for these parcels. The**

motion was approved by the Clearinghouse Board by a vote of 4-0.

Clearinghouse Administrative

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

Pine Barrens Credit Program

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

Mr. Tripp raised the question of what additional efforts the Commission or the Clearinghouse could make to help the program. He was particularly concentrating upon the issues which affect small lot owners. After a brief discussion, a motion was made by Mr. Pally and seconded by Mr. Hanley to authorize Mr. Tripp, as Chair of the Clearinghouse Board, to work on the new version of the credit purchase letter on their behalf. The motion was approved by the Clearinghouse Board by a vote of 4-0.
- Extension of appeal time for past recipients of interpretation letters: proposed letter
Summary: A motion was made by Mr. Hanley and seconded by Mr. Grecco to approve the attached letter to core area owners who have already received a Letter of Interpretation authorizing an extension of the time in which they may file an appeal of their Letter of Interpretation. The motion was approved by the Clearinghouse Board by a vote of 4-0.
- Title policy: payment of title insurance fees, implementation
Summary: Mr. Corwin raised the question as to whether the administrative costs of the Clearinghouse (e.g., appeal hearing stenography, legal notices, etc.) should be paid from the Commission's administrative budget or the Clearinghouse funds. It was informally agreed that all administrative costs of the Clearinghouse operation should be paid from the Commission's administrative budget.

Administrative

- Public comment

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

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

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

Executive Session and Adjournment

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

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

Attachments:

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

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Commission Meeting Summary (REVISED DRAFT) for May 15, 1996

(Includes 6/24/96 changes by Commission;
To be approved by Commission and Clearinghouse)

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

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

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

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

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- Public comments

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

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

now, before submittal of the petitions.

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

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Commission Administrative

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Summary: Mr. Girandola asked whether the staff members file financial disclosure forms. Ms. Roth replied that the staff members are not required to, since they do not hold policymaking positions. Mr. Corwin noted that he has one on file already with Suffolk County since he is a County Park Trustee.
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meeting with the Commission at the previously scheduled Commission meeting on 5/29/96. Mr. Girandola suggested that a separate Commission meeting date be scheduled for only that purpose. That was informally agreed, and the staff will coordinate the selection of such a date.

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Summary: Ms. Plunkett summarized the application materials received to date, and distributed copies to the Commissioners.

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

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

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

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Summary: Mr. Corwin reported that the amendments, bill number A8846A/S6112A, have been passed by the Assembly, and are awaiting action by the Senate.
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Summary: Ms. Filmanski provided copies of the Riverhead Town code amendments which have been adopted by the Riverhead Town Board already. Ms. Roth will examine the amendments and they will be placed on the agenda for the 5/29/96 meeting.
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Clearinghouse Administrative

- Draft summary for 4/23 Clearinghouse meeting: corrections, approval (faxed)
Summary: **A motion was made by Mr. Hanley and seconded by Mr. Grecco to approve the summary of the Clearinghouse meeting of 4/23/96. The motion was approved by the Clearinghouse Board by a vote of 4-0.**

Core Preservation Area

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

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- New Clearinghouse Board meeting

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

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- Title policy: payment of title insurance fees, implementation

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

Administrative

- Public comment

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

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

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

Executive Session and Adjournment

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

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

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

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

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

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

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

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

Administrative

- Public comments

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

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

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

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

Pine Barrens Credit Program

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

Commission Administrative

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

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

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

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

Compatible Growth Area (Commission)

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

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

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

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

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

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

applied.

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

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

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

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

Pine Barrens Credit Program

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

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

Mr. Cochrane left at this point.

Plan Implementation

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

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

- Riverhead Town code amendments: status
Summary: Ms. Filmanski provided copies of the Riverhead Town code amendments which have been adopted by the Riverhead Town Board already. Ms. Roth will examine the amendments and they will be placed on the agenda for the 5/29/96 meeting.
- NY Army National Guard load training (not on the original agenda)
Summary: Mr. Corwin reported that the first load lift of the abandoned vehicles will be held on 5/23/96, with an accompanying press conference. He asked if there were any remaining concerns with respect to liability, and Ms. Wiplush stated that a document should be drawn up stating that the town is not liable for the work. A discussion ensued regarding the plans for the work, the safety procedures, and the jurisdictions involved.

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Central Pine Barrens Joint Planning and Policy Commission

Meeting For: Joint meeting Pine Barrens
Commission + PBC Clearinghouse
 Location: Brookhaven Town Office
Bldg 4 Conference room
 Date /Time: 5/15/96 2:00 pm

NAME	REPRESENTING	ADDRESS	TELEPHONE/FAX
<i>[Signature]</i>	CPBC/SCWA	3525 Sunrise Hwy Great River	563-0385 / 277-4097
Andy Freling	Southampton		
ED QUAREMBA	NASSAU	56 PARKVIEW CIRCLE, BETHPAGE, NY	433-8145
Ray DRAGOTTA	SUFF CTY		853 5133
John F. HANLEY	RIVERHEAD	SCNB 322 RIVINGTON AVE, RIVERHEAD	516/7270396
Vi HOGGLUND	37 DIETZ AVE	LAKE GROVE - 588-8459	
Tim Hopkins	SCWA	4060 Sunrise Hwy Malden NY	563-0308 / 563-0370
John Mikozzi	SCWA / CPBC	3525 Sunrise Hwy/GR	563-5682 / 277-4097
John Cochran	Suburban City treas.	370 Center St Riverhead NY	852-1500
Donna Plunkett	CPB/JPPC		
Walter & Sharon Olsen	CPR Associates Inc	1139 Flanders Rd Riverhead	727-5696
HENRY R. DITMER	C.P.R.	P.O. Box 200 BRIGHTWATERS	665-2020
B. Wippluh	Town Brook		451-6500
Ray Cowan	CPB Commission		
Bill SPITZ	NYS DEC	BLDG 40 SUNY STONY BROOK	516 444-0419
Ray Cowan	NYS DEC / Gov Pataki	"	516 444-0345
Brenda Filmanowski	Jim Stark	200 Howell Ave, Rte 1	727-3200 (240)
John V. Pava	TOB	3233 Rte. 112 Medford, NY 11763	451-6455 / 451-6419
Stuart R. Laurie	TNC	POB 5125, East Hampton NY 11937	329-7689 / 329-0215
G. Hendrix	CPR	Box 442 NY 10813	
F. SIEBEL	SEIF	P.O. Box 751066 Forest Hills, Queens NY	

5/15/96 Commission
meeting

[illegible]

[illegible]

5/15/96
ATTACHMENT

TRUST & AGENCY - PINE BARRENS
MONTHLY ACTIVITY REPORT
PERIOD ENDING 4/30/96

	<u>ACTIVITY</u>	<u>CLOSING BALANCE</u>
<u>MONEY MARKET ACCOUNT</u>		
<u>NORTH FORK (662400-525-9)</u>		
OPENING BALANCE		519,878.85
<u>ACTIVITY</u>	<u>DATE</u>	
RECEIPTS		
NOTE A	8,869.44	
	0.00	
	0.00	
	0.00	
	0.00	
	<hr/>	
	8,869.44	
DISBURSEMENTS		
	0.00	
	0.00	
	0.00	
	0.00	
	0.00	
	<hr/>	
	0.00	
	0.00	
INTEREST		<hr/>
	1,077.81	
CLOSING BALANCE - MONEY MARKET		529,826.10
 <u>CERTIFICATES OF DEPOSIT</u>		
OPENING BALANCE		4,500,000.00
<u>ACTIVITY</u>	<u>DATE</u>	
RECEIPTS		
	0.00	
	0.00	
	0.00	
	0.00	
	0.00	
	<hr/>	
	0.00	
DISBURSEMENTS		0.00
NOTE A	(8,869.44)	
	0.00	
	0.00	
	0.00	
	0.00	
	<hr/>	
	(8,869.44)	
INTEREST		<hr/>
	8,869.44	
CLOSING BALANCE - CERTIFICATES OF DEPOSIT		<hr/>
		4,500,000.00
TOTAL CLOSING BALANCE - TRUST & AGENCY PINE BARRENS		<hr/>
		5,029,826.10

NOTE A: CD INTEREST IS TRANSFERRED TO THE MONEY
MARKET ACCOUNT UPON RECEIPT

NOTES:

THE MONEY MARKET INTEREST RATE FOR THE MONTH
OF APRIL WAS 2.5%.

AS OF 4/30/96 WE HAVE INVESTED 4.5 M IN THE
FOLLOWING CD'S

BANK	RATE	MATURITY DATE	AMOUNT
EXTEBANK	5.15%	5/7/96	1.5M
EXTEBANK	5.15%	6/3/96	1.0M
EXTEBANK	5.16%	7/2/96	1.0M
NORTHFORK	5.30%	8/5/96	1.0M
TOTAL			4.5M

5/15/96 ATTACHMENT

Draft Budget of 5/15/96 for 1996-97 Fiscal Year administrative funds
(Work in progress to be approved by the Commission and subject to enactment of NYS budget)

Commission funding (from tentative 96-97 state budget): \$600,000

Carryover expenses into 4/1/96: approximately \$125,900	Payroll (base plus benefits; 1/96-3/96)	\$57,100
	Legal counsel (carryover from overall 95-96 year)	\$39,100
	Economic consulting (first half of Dr. Nicholas' contract)	\$5,000
	All other vendor and operating costs (includes unreimbursed stenography, unreimbursed legal notices, postage, printing, copying, office supplies, etc.. (carryover from overall 95-96 year's expenses)	\$24,700
Expenses incurred from 4/1/96 to be covered by 96-97 allocation: approximately \$474,100	Payroll (base plus benefits; 4/96 - 3/97)	\$260,000
	Legal counsel	\$12,700 actual this FY; \$95,000 add'l this FY;
	Economic consulting (second half of Dr. Nicholas' contract)	\$5,000
	Insurance premium for General Liability and Directors and Officers Insurance (for 6/96 through 6/97 coverage year)	\$20,000
	Stenography and legal notices (not associated with applications or otherwise not reimbursable by applicants)	\$4,000
	Technical document production (includes Plan revisions; materials and technical services for Pine Barrens Credit Program, Law Enforcement, Protected Lands, Wildfire Task Force, research status conference and other purposes; misc others)	\$30,000
	All other vendors plus operational expenses (for overall 4/96 - 3/97; includes additional mailings to owners, PB Credit administration, computer hardware and software upgrades, telephone, office supplies, general postage, overnight mailing, additional consulting hours if needed, etc.)	\$41,400
	SC Water Authority Administrative fee (1%)	\$6,000

5/15/95 ATTACHMENT

May __, 1996

Honorable John C. Cochrane
Suffolk County Treasurer
330 Center Drive
Riverhead, New York 11901-3311

Re: Central Pine Barrens Joint
Planning and Policy Commission
Development of Rights Program

Honorable Treasurer:

This correspondence will confirm and constitute an Agreement between the Central Pine Barrens Joint Planning and Policy Commission (the "Commission") and the Suffolk County Treasurer (the "Treasurer") for the administration of certain funds of the Commission by the Treasurer.

Pursuant to an agreement between the New York State Department of Environmental Conservation ("DEC") and the Commission, entitled "New York State Department of Environmental Conservation Natural Resource Damages Restoration and Replacement Project Agreement November, 95--" (the "DEC Agreement"), the DEC has agreed to transfer the sum of five million dollars (\$5,000,000) to the Commission to fund the Transfer of Development Rights ("TDR") Program established by the Commission. That agreement is annexed hereto as Exhibit A.

Pursuant to the authority granted by Environmental Conservation Law Section 57-0119(4) (McKinney 1996), the Treasurer agrees to administer those funds, as trustee, on behalf of the Commission in order to implement the TDR Program and in accordance with the terms of the DEC Agreement.

The Treasurer understands that the funds to be administered are the property of the Commission and agrees that such funds will be invested in accordance with the Investment Policy for Suffolk County, New York, attached hereto as Exhibit B.

Honorable John C. Cochrane

May __, 1996

Page 2

The term of this Agreement shall be co-terminus with the term of the DEC Agreement, as same may be extended from time to time. All remaining unexpended funds in the possession of the Treasurer at the termination of the DEC Agreement shall be disposed of pursuant to the Section II(F) of the DEC Agreement. The Commission shall notify the Treasurer by certified mail, return receipt requested, of the termination of the DEC Agreement. Disbursement of funds upon termination shall be conditioned upon receipt of actual notice.

Initial requests for the disbursement of funds shall be sent by the Commission staff to the Suffolk County Department of Audit and Control. The following documents shall be necessary for the Suffolk County Department of Audit Control to approve disbursement of funds by the Treasurer:

- Item 1. Fully executed "Agreement to Purchase Pine Barrens Credits", copy annexed hereto as Exhibit C;
- Item 2. Copy of the "Central Pine Barrens Credit Certificate", stamped "REDEEMED" by the Pine Barrens Credit Clearinghouse, annexed hereto as Exhibit D;
- Item 3. Copy of the executed Conservation Easement with proof of recording by the Suffolk County Clerk, annexed hereto as Exhibit E; and
- Item 4. Standard Voucher for Suffolk County as modified herein, executed by the Chairman of the Pine Barrens Credit Clearinghouse and the Chairman of the Central Pine Barrens Joint Planning and Policy Commission, annexed hereto as Exhibit F.

If the Department of Audit and Control does not approve the disbursement of the funds within fourteen calendar days of its receipt of Items 1-4 above, (the "Disbursement Request"), it shall refer the Disbursement Request to a committee of three members, which members shall be appointed by the Commission. Such committee shall determine whether or not the disbursement should be approved within ten calendar days of its receipt of the Disbursement Request. Upon receipt of written instructions authorized by a majority vote of that committee, the Treasurer shall disburse the funds forthwith.

The Commission agrees to defend, indemnify and hold harmless to the extent permitted by law the County of Suffolk, the Suffolk County Treasurer, the Suffolk County

Honorable John C. Cochrane

May __, 1996

Page 3

Comptroller, and their officers, employees and agents, (the "County") from and against all liabilities, claims, damages, costs and expenses arising out of the proper action of the County in accordance with instructions received from the Commission pursuant to this Agreement, including any such action taken or omitted in accordance with such instructions. Notwithstanding the foregoing, this indemnity excludes any action which is caused by the gross negligence or intentional misconduct of the County.

Subject to the receipt of the executed documents set forth in Items 1, 2, 3 and 4 above, and further subject to proper action of the County in accordance with instructions received from the Commission, the parties hereby agree that the County shall not be liable or responsible for the use which may be made of the proceeds deposited by the Commission with the County, or for any actions or omissions of the County in connection therewith, to the extent that those uses, actions and omissions are based upon the validity, sufficiency or genuineness of documents (excluding documents furnished by the County), or of any endorsement thereon even if such documents should, in fact, prove to be in any or all respects invalid, insufficient, fraudulent or forged, except, if such documents are caused to be invalid, insufficient, fraudulent or forged, based upon actions of the County.

The indemnity provided by this Agreement is intended to be provided solely by the Commission and not by the State of New York, the County of Suffolk or the Towns of Riverhead, Southampton and Brookhaven.

In witness of your acceptance of the terms and conditions described above, kindly execute the enclosed copy of this Agreement and return it to the Commission.

Very truly yours,

Robert J. Gaffney, Chairman

Agreed to:

John C. Cochrane
Suffolk County Treasurer

Complete Letter of Interpretations Applications
5/15/96

Applicant(s)	SCTM A: Location	Size in Acres; Zoning	Property Status	Application Status	Gross Allocation	Allocation Notes	Proposed Allocation
Estate of Josephine Sullivan c/o Helen Brosan 4/16/96	200-528-2-20	0.18 Acres A 5 Residence	See attached report	Complete	0.0288	Qualifies for allocation pursuant to § 6.7.7.7	0.10
Harold Nussbacher	200-530-1-22	0.23 Acres A 5 Residence	See attached report	Complete	0.0368	Qualifies for allocation pursuant to § 6.7.7.7	0.10
Mavis Branch- Payne 4/22/96	200-777-3-6 Outside Pine Barrens						
Louis Gartenberg 4/26/96	600-137-4-10.4 River Road	1.65 Acres Residence C	See attached report Road front exemption list	Complete	2.64		2.64
Louis Gartenberg 4/26/96	600-137-4-11.6 River Road	4.09 Acres Residence C	See attached report	Complete	6.544		6.54
John Leonhardt	900-167-2-8 Flanders	0.23 Acres Country Residence 40	See attached report	Complete	0.2139	Uses Town of Southampton's formula	0.21
Peter E. George, Jr. 4/22/96	900-212-6-16 Eastport	0.23 Acres Country Residence 200	See attached report	Complete	0.0414	Uses Town of Southampton's formula; Qualifies for allocation pursuant to § 6.7.7.7	0.10
Mavis Branch- Payne 4/22/96	900-215.1-1-38 NE Westhampton	1.19 Acres Country Residence 200	See attached report	Complete	0.2142	Uses Town of Southampton's formula	0.21

5/15/96
TDC/MENT

George Mathys c/o Joseph Gazza 5/8/96	900-286-2-19 Westhampton	0.8154 Country Residence 200	See attached report	Complete	0.1468	Uses Town of Southampton's formula; Qualifies for allocation pursuant to § 6.7.7.6	1.0
George Mathys c/o Joseph Gazza 5/8/96	900-286-2-22 Westhampton	0.8096 Country Residence 200	See attached report	Complete	0.1457	Uses Town of Southampton's formula; Qualifies for allocation pursuant to § 6.7.7.6	1.0
George Mathys c/o Joseph Gazza 5/8/96	900-286-2-37 Westhampton	0.7265 Country Residence 200	See attached report	Complete	0.1308	Uses Town of Southampton's formula; Qualifies for allocation pursuant to § 6.7.7.6	1.0

H:\WP\WIN\DOCUMENT\PINEBARRICLEARING\APPS\1595APP.WPD
May 15, 1996

PINE BARRENS CREDIT CLEARINGHOUSE

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

Clearinghouse Agenda (Draft) for July 9, 1996 1:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of May 15, 1996 Joint Commission and Clearinghouse meeting minutes

2. Pine Barrens Credit Program Capitalization Funds

- Comments of John Cochrane, Suffolk County Treasurer

3. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretations

- Summary of Clearinghouse applications
- Issuance of Letters based on staff reports

B. Pine Barrens Credit Certificates

- Summary of Applications

C. Letters of Interpretations Appeals

- 1:30 Appeal of Joseph Gazza
- Expressway 60 Patent and Bernard Meyer Appeal
 - SEQRA review
 - Decision

4. Program Implementation

- Acquisition of Pine Barrens Credits - Status of Nicholas Report
 - Solicitation Letters with proceeds sharing option
 - Dutch Auction
- Correspondence from LIBI re single and separate parcels

5. Meeting Schedule

July 3, 1996

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

PINE BARRENS CREDIT CLEARINGHOUSE

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

Clearinghouse Agenda (FINAL) for July 9, 1996 1:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of May 15, 1996 Joint Commission and Clearinghouse meeting minutes

2. Pine Barrens Credit Program Capitalization Funds

- Comments of John Cochrane, Suffolk County Treasurer

3. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretations

- Summary of Clearinghouse applications
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4. Program Implementation

- Acquisition of Pine Barrens Credits - Status of Nicholas Report
 - Solicitation Letters with proceeds sharing option
 - Dutch Auction
- Correspondence from LIBI re single and separate parcels

5. Meeting Schedule

July 8, 1996

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

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., CHAIRMAN
ALLAN D. GRECCO, ESQ., VICE CHAIRMAN
ANDREW FRELENG, A.I.C.P., MEMBER
JOHN F. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

**Pine Barrens Credit Clearinghouse Board of Advisors
Meeting Summary for July 9, 1996 (DRAFT)
Central Pine Barrens Joint Planning and Policy Commission Office
Great River, New York 1:00 p.m.**

Present: Board members included Mr. Tripp (representing Brookhaven), Mr. Grecco (representing Suffolk County) Mr. Freleng (representing Southampton), and Mr. Pally (representing New York State). Also in attendance were Mr. Rigano, General Counsel to the Commission. Staff members Ms. Trezza, Mr. Hopkins, Mr. Milazzo, Ms. Plunkett, and Mr. Spitz. Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order by Mr. Tripp at 1:10 p.m.

1. Administrative

- Public Comment period:
Gloria Hendrix, a property owner, had a general inquiry regarding the investments made by the Suffolk County Treasurer concerning how the PBC Program monies are invested, with whom and whether the investments are insured. Mr. Cochrane replied that the investments were made according to the Suffolk County Investment Guidelines which were adopted by the Commission and the Clearinghouse Board members. The monies were put into 4 Certificates of Deposit and 1 money market with at least 1 CD due monthly.

Charles Siegel, a property owner, inquired as to whether or not the PBC Clearinghouse is going to adopt a special policy for single and separate parcels. Mr. Tripp responded that there was a low probability of that happening. Mr. Hopkins also responded by stating that in the planning process consideration was given to parcels on improved roads and that an analysis was done on interior parcels in reviewing single and separate issues.
- Adoption of May 15, 1996 Central Pine Barrens Joint Planning and Policy Commission and Clearinghouse meeting summary:

A motion was made by Mr. Pally and seconded by Mr. Grecco to adopt the meeting summary of May 15, 1996. The motion was approved unanimously.

2. PBC Program Capitalization Funds

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

- Capitalization Funds Update and Comments of John Cochrane, Suffolk County Treasurer
Summary: John Cochrane handed out and went over the monthly financial report for June 1996. Mr. Cochrane introduced Christina Cooke, he stated that Ms. Cooke would be representing him at future meetings.

Mr. Siegel asked how many foreclosures on Pine Barrens parcels have taken place and whether or not these parcels are auctioned by the County. Mr. Grecco discussed that approximately 6,000 properties per year overall are foreclosed on and that the Pine Barrens properties are not offered for auction.

3. PBC Clearinghouse Applications

- Summary of Clearinghouse Applications
Summary: Mr. Milazzo gave a brief overview of the complete applications for Letters of Interpretation received by the Clearinghouse to date. Staff reports and work sheets for the applications were distributed to Clearinghouse members. The Board members voted on a series of resolutions following the summary that was given by staff members.

A motion was made by Mr. Pally and seconded by Mr. Grecco to allocate 1.0 credits on the Rita Kellar application for 200-270-4-25. The motion was approved unanimously.

A motion was made by Mr. Grecco and seconded by Mr. Pally to allocate 0.10 credits on the John Andersen application for 200-511-1-15 and to allocate 1.0 credits on the John Andersen application for 200-511-1-16. The motion was carried unanimously.

A motion was made by Mr. Freleng and seconded by Mr. Tripp to allocate 0.10 credits on the William A. Roth III application for 900-220-1-26 using the Southampton allocation formula. The motion was carried unanimously.

A motion was made by Mr. Grecco and seconded by Mr. Freleng to allocate a total of 0.17 credits on the Amedeo D. Raponi application for 900-241-2-5. The motion was carried unanimously.

Mr. Milazzo discussed the Frances McWhorter applications for 900-251-1-5.1 and 5.2. Both of these parcels are in the Compatible Growth Area. It was explained to the applicant that Pine Barrens Credits are not allocated to CGA lands with a few exceptions. Despite this explanation, the applicant wanted the Clearinghouse to review her applications. Staff was instructed to inform the applicant that PBCs would not be issued to her parcels and that her ability to develop them was not materially affected by the Plan.

Mr. Pally asked if a summary could be prepared documenting the number of Letters of Interpretation and Pine Barrens Credits that have been issued. Staff replied that this request would be done for the next meeting.

At this point the public hearing on Appeal of the Joseph Gazza application started. The time was approximately 1:55 p.m. The public hearing ended at 2:30 p.m. A hearing transcript will be maintained in the Commission's library.

- **Meeting Schedule**
The Next Pine Barrens Credit Clearinghouse Board of Advisors meeting will take place on July 30, 1996 at 3:00 p.m. at the Commission office in Great River. At that time a decision on the Gazza appeal will be made.
- **Expressway 60 and Bernard Meyer Appeal**
Summary: At Counsel's request the Clearinghouse Board made a motion to rescind its May 15, 1996 resolution deciding the appeal of Bernard Meyer and Expressway 60 Patent. The Clearinghouse adopted a resolution accepting the Environmental Assessment Form and issued an negative declaration on the appeal. The Clearinghouse then adopted a proposed decision on the appeal. The decision increased the Pine Barrens Credit allocation for the 37 parcels which are the subject of the appeal from 3.7 to 14.8 Pine Barrens Credits for the reasons stated therein.

A motion was made by Mr. Pally and seconded by Mr. Grecco to rescind the appeal decision of May 15, 1996, accept the Environmental Assessment Form, issued a negative declaration, and issued the appeal decision. The motion carried unanimously.

4. Program Implementation

- **Strategy for Clearinghouse Acquisition of Pine Barrens Credits**
Summary: Mr. Milazzo summarized the policy for Clearinghouse acquisition of Credits. The Commission has approved a letter to mailed to Core Preservation Area landowners summarizing the acquisition policy. The letter is prepared for mailing. Mr. Tripp suggested an addendum to the letters describing a program that would allow the Clearinghouse to share, with the person who sold credits to the Clearinghouse, any profit the Clearinghouse realizes on the sale of similarly situated credits. There was a discussion which determined that there are legal issues that Counsel needs to research before the Clearinghouse could adopt such a proposal.

At this point it was suggested by Mr. Spitz that maybe the Clearinghouse should buy all fractional credits at a higher price so that there is finality and that the proceeds sharing option would not be needed. This issue will also be researched by Counsel.

A motion was made by Mr. Tripp and seconded by Mr. Freleng to accept the Pine Barrens Credit acquisition policy that was adopted by the Commission and to send the letters to the residential property owners that explains this policy. The motion was carried unanimously.

- **Dutch Auction**
Summary: Mr. Hopkins stated that this issue was just an informational item at this time and that a more extensive and detailed presentation would be made at the next meeting. There was a brief discussion on this matter. Under this proposal the Clearinghouse would serve as a depository who would compile lists of offers to sell Pine Barrens Credits received in response to an offer to purchase a identified number of Pine Barrens Credits at a specific price or range of prices by a developer or other party. These lists would then be forwarded to the purchaser, who would be bound to purchase the specified number of credits if offers were received in the specified range.

- LIBI Correspondence

Summary: *A letter that was written by Buzz Schwenk was distributed to the Clearinghouse members concerning credit allocations.*

A motion was made by Mr. Pally and seconded by Mr. Grecco to adjourn the meeting. The motion was carried unanimously.

PINE BARRENS CREDIT CLEARINGHOUSE

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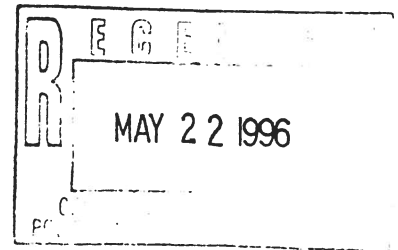
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JOSEPH FREDERICK GAZZA

ATTORNEY AT LAW
P.O. Box 969 5 OGDEN LANE
QUOGUE, NEW YORK 11959
(516)653-5766 (DAY AND EVENING)



May 20, 1996

Southampton Town Planning Board
Town Hall Hampton Road
Southampton, New York

Re: Conversion of Town Development Rights to Pine Barrens Credits

Dear Mrs. Chairwoman Graboski & Board Members,

In response to your letter of 5/14/96(copies attached)..THANK YOU BUT NO THANKS.

Please allow this letter to outline the circumstances which make this matter "unique".

I purchased 10 acres on the Old Filed Map of Southampton Terrace(near Suffolk Community College) on 3/10/1989. This tract has two paved road frontages with public water and all infastructures in place. I paid your fees on 12/12/89 Receipt#6758 to open up this map for development purposes. Your Board did direct Town Engineer REview and Tom Thorson of your department prepared a development plan on 5/92 depicting four lots on my 10 acres. Pursuant to your instructions and regulations § 330-53-D,I purchased 33 separate parcels of land from people all over the United States which together amounted to 678,140 sq. ft. of land specifically for the development rights needed for the plan Thorson designed for me; which your Board told me I needed to get four approved decelopment parcels. When I transferred the rights to my tract with your Board's consent, certain Board members had second thoughts about allowing my four lots because, now, the area was designated Pine Barrens, and it was suggested that I find an alternate location to settle the rights. It was too late for me, I bought the rights to use on this tract in reliance on your Board's instructions and have no other land to use the rights on.

My hardship exemption application to the Pine Barrens Commission to be able to build four homes on my four lots was denied unanimously ,which included the no vote from Bob Duffy the Town Planning representative. The \$151,000.00 + I have invested in this tract which includes the cost of development rights of approximately \$45,000.00 has now been reduced to 2.21 Pine Barrens credits. Chairman Tripp of the Pine Barrens Credit Commission stated at the last commission meeting that funds may become available to buy PBCs at the rate of 80% of \$3,500.00/PBC or \$2800.00 per PBC.

The actions of the Pine Barrens Commission and the Town Planning Board in connection with the above "Particular set of unique circumstances"amounts to a RAPE of my private property rights. It really hurts me to see my Planning Board take a part in this terrible act.

Submitted in Disbelief,

JOSEPH FREDERICK GAZZA

Attach.

cc: Board Members
: Supervisor Cannuscio
: Fred Thiel

: Pine Barrens Commission

JOSEPH FREDERICK GAZZA

ATTORNEY AT LAW
P.O. Box 969 5 OGDEN LANE
QUOGUE, NEW YORK 11959
(516)653-5766 (DAY AND EVENING)

April 23, 1996

Hon. Fred W. Thiele, Jr.
P.O. Box 3062
Bridgehampton, NY 11932

Re: Pine Barrens Land - Constitutional Takings Issue

Dear Mr. Thiele:

Thank you for your letter of 3/27/96 regarding my Pine Barrens predicament. I have enclosed the information pertaining to one of my several "core" parcels evidencing how my private property rights have been deprived, for your review.

This particular tract of land I purchased on 3/6/1989 for development purposes and to date have not been permitted to use my land. I was led to believe by the Southampton Town Planning Department that I was getting close to being able to use the land in accordance with a development plan which they themselves prepared during their six year review of my application. However, the Pine Barrens Commission decided on 10/20/95 that natural vegetation could not be disturbed on this parcel and denied my hardship exemption application to use my land. My letter to this Commission requesting that they buy my land or its development rights has gone unanswered to date.

Evidencing government lack of interest in acquiring my various "core" parcels, I submit herewith copies of my letters offering to sell my lands, sell my TDR rights, and/or trade my core lands for government owned surplus compatible growth lands... all of which I have received no response to.

The icing on the cake is that each year I must continue to pay the realty taxes on land which I cannot use in order not to lose my title to my government... remember when I argued this point before you as Town Supervisor at the Hampton Bays Senior Citizen Center in 1992.

Any help you could extend in connection with this "predicament" would be sincerely appreciated.

Regards,

Joseph Frederick Gazza

Enclosures

bes



Town of Southampton

116 HAMPTON ROAD
SOUTHAMPTON, NEW YORK 11968

PLANNING BOARD
516 287-5735 tel
516 287-5708 fax

CHAIRPERSON
NANCY S. GRABOSKI

VICE CHAIRPERSON
DENNIS FINNERTY

SECRETARY
E. BLAIR McCASLIN

BOARD MEMBERS
AUDREY A. ADAMS MARGARET GARAHAN
STEVEN T. KENNY JOHN J. SIEGMUND

To: Pine Barrens Credit Clearinghouse
James T.B. Tripp, ESQ. Chairman

From: Planning Board
Nancy S Graboski, Chairwoman

Nancy S. Graboski

Date: May 14, 1996

Re: ADVISORY REPORT
Application and Appeal by Joseph Frederick Gazza to the
Pine Barrens Credit Clearinghouse for Allocation of Pine
Barrens Credits.

Please be advised that in your deliberations and consideration of the above referenced, The Town of Southampton Planning Board met and discussed the matter at the Morning Work Session of the May 2, 1996 Agenda, where the applicant was notified but was absent from the discussion. The Board wishes to inform the Clearinghouse that any "Town Development Rights" which may be "banked" on property in the applicants ownership, are currently valid development rights under Chapter 243 (Old Filed Maps) of the Code of the Town of Southampton. Moreover, these development rights may be transferred to an old filed map section in the Compatible Growth Area, in the same school district.

The above notwithstanding, the Planning Board recognizes that the particular set of circumstances which resulted in the land banked rights are unique. The issuance of Pine Barrens credits for Town development rights on this parcel may provide more opportunities for the land owner, in terms of utilization or sale of the credit.

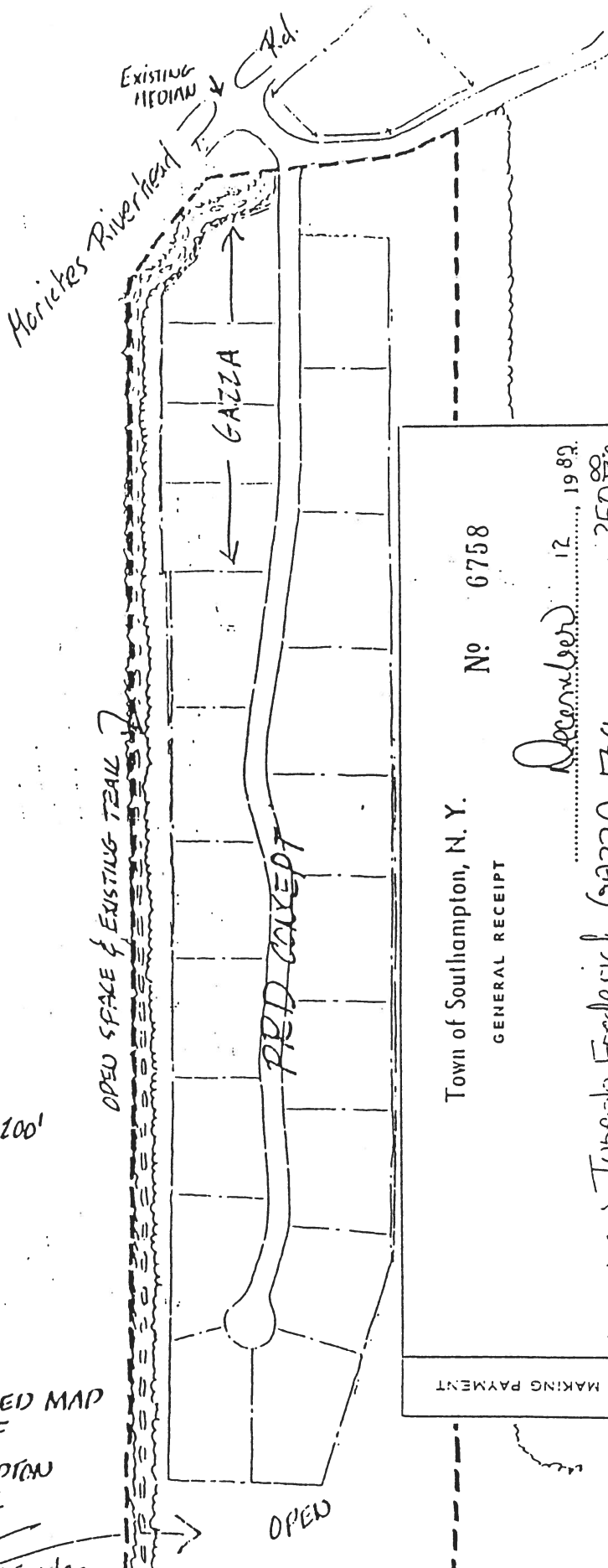
Therefore, the Planning Board requests, that in the interest of providing the greatest flexibility to the property owner in this singular situation, the Clearinghouse issue Pine Barrens Credits for the Town Development Rights on this parcel.

Should you have any questions or comments with respect to the above, please do not hesitate to contact the Planning Board.

cc John Milazzo
Joseph F. Gazza

↑ N
Scale: 1" = 200'

OLD FILED MAP
OF
SOUTHAMPTON
TERRACE



Town of Southampton, N. Y.

No 6758

GENERAL RECEIPT

Received of Joseph Frederick GAZZA, Esq.
Two hundred fifty dollars \$250.00
For Old Filed Map for Joseph Frederick GAZZA
December 12, 1989
RECEIVED BY
Barbara Meyer

ORIGINAL TO PERSON MAKING PAYMENT

TOWN PLANNING DEPT.

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., CHAIRMAN
ALLAN D. GRECCO, ESQ., VICE CHAIRMAN
ROBERT J. DUFFY, A.I.C.P., MEMBER
JOHN F. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

Draft Decision

In the Matter of the Appeal of Expressway 60 Patent and Bernard Meyer of the Allocation of Pine Barrens Credits Concerning SCTM 200-411-5-3.1; 3.2; 3.3; 3.4; 3.6; 3.7; 3.8; 4.1; 4.2; 4.3; 4.4; 4.6; 4.7; 4.8; 9.1; 9.2; 9.3; 9.4; 9.6; 9.7; 9.8; 10.2; 10.3; 10.4; 10.6; 10.7; 10.8; 15.2; 15.3; 15.4; 15.5; 15.6; 16.2; 17.1; 17.2; 17.3; and 17.4.

The applicants own a 44 lot subdivision north of Concourse Road in the hamlet of Manorville. All of the lots are within the Core Preservation Area of the Central Pine Barrens as defined in the Long Island Pine Barrens Protection Act of 1993. In addition, the lots are within Groundwater Management Zone III, as established by the Suffolk County Department of Health Services. A subdivision map was filed in 1926 and created the lots of approximately one-half acre each. Roads were mapped for the subdivision, but were not developed. Terrence Meyer owns one lot, Bernard Meyer owns 21 lots and Expressway 60 Patent, a partnership, owns 22 lots. Both Terrence Meyer and Bernard Meyer are partners in Expressway 60 Patent.

Seven lots with frontage on Concourse Road were allocated one Pine Barrens Credit per lot pursuant to Section 6.7.7.6 of the *Central Pine Barrens Comprehensive Land Use Plan* (the *Plan*). The interior 37 lots with no frontages on existing improved roads were allocated 0.10 Pine Barrens Credit per lot pursuant to the minimum allocation formula of the *Plan*. Bernard Meyer owns 18 of these lots. Expressway 60 Patent owns 19 interior lots. The applicants argue that each of the 37 interior lots is "single and separate" as defined in the Brookhaven Town Code and therefore each lot is entitled to one (1) Pine Barrens Credit. The applicants did not appeal the allocation of one (1) Pine Barrens Credit to the seven lots with frontage on Concourse Road.

The Town of Brookhaven Code contains a single and separate provision. The record contains a letter from an Assistant Town Attorney of the Town of Brookhaven explaining the administrative procedure created by the Town Code for determining whether a lot is "single and separate." In order to establish that a lot is single and separate the Town Attorney's office must perform a single and separate search and then confirm the results. This procedure was not followed by the applicants.

The New York Court of Appeals in *Khan v. Zoning Board of Appeals of the Village of Irvington* stated that a single and separate clause contained in a zoning ordinance does not exempt a parcel so defined from other ordinances implemented for resource protection purposes. (639 N.Y.S. 2d 302). Assuming arguendo that applicants could prove that their lots are single and

separate under the Town Code, under the holding of *Khan* no special rights are created for purposes of the Long Island Pine Barrens Protection Act of 1993.

In addition to the Town's regulations, Article 6 of the Suffolk County Sanitary Code "Realty Subdivisions, Developments and Other Construction Projects" may affect the development of a lot. These regulations require that development of any lot less than 40,000 square feet in size in Groundwater Management Zone III must have a community sewage system and a community water system. However, the regulations do not apply to "density requirements for one-family residences on parcels which appeared as separately assessed on the Suffolk County Tax Map as of January 1, 1981, which presently constitutes a buildable parcel under applicable municipal zoning ordinances and which met the Department requirements in effect on January 1, 1981. *No automatic waiver of these requirements of this Article shall be granted where five (5) or more of such parcels are owned by a developer.*" (Suffolk County Sanitary Code §760-609(B)(5)). A developer is defined as:

any person or group of persons, or any legally cognizable entity or entities or any combination of the foregoing, who:

1. is undertaking or participating in the establishment of a realty subdivision or other construction project:
 - a. either individually, or
 - b. pursuant to a common scheme, plan or venture

(Suffolk County Sanitary Code §760-601(F)).

Indicia of a common scheme or venture include the fact that the 44 lot subdivision was owned by two brothers and a partnership in which the brothers were partners. The applicants were represented by the same attorney. A history of conveyances of the lots among the same individuals exists in what appears to be an attempt to establish single and separate status. Applicants did not prove that they would be exempt from the Article 6 of the Sanitary Code. The Clearinghouse finds that the applicants would be a developer under Article 6 and there would be no automatic waiver of the Article 6 requirements.

In evaluating the arguments raised on appeal by the applicant's attorney, the Clearinghouse determines that the unique features of the 37 lots are their proximity to an existing improved road, their ability to be developed in an economically justifiable manner and the nature of the applicant's holdings. The Clearinghouse finds while the 37 lots are not immediately adjacent to an existing road, they are proximate to parcels that are immediately adjacent. For this reason, the Clearinghouse believes that the development of the 37 lots would be economically sustainable. Economies of scale could be created because the applicants own or control the 44 lots of the subdivision. Infrastructure improvement costs could be distributed among the 44 lots

allowing the applicants to recoup these costs as the lots were sold. This development scenario varies significantly from the cost of developing a single lot or a small number of lots that are a greater distance from an improved road. In those instances, the entire cost of the infrastructure improvement would be borne by the individual lot or a small number of lots.

For the foregoing reasons, the allocation to the 37 lots is increased from 0.10 Pine Barrens Credits per lot to 0.4 Pine Barrens Credits per lot for a total allocation of 21.8 Pine Barrens Credits for the 44 lot subdivision. The allocation of 0.4 Pine Barrens Credit per lot reflects the fact that the lots are back from an existing road. This allocation results in a total rated sewage flow that is slightly less than if the subdivision was built pursuant to Article 6.

July 3, 1996

DRAFT

State Environmental Quality Review Act
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

This notice is issued pursuant to Part 617 of 6 New York Code Rules and Regulations implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Pine Barrens Credit Clearinghouse, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement need not be prepared.

LEAD AGENCY: The Pine Barrens Credit Clearinghouse
P. O Box 587
3525 Sunrise Highway, 2nd Floor
Great River, New York 11739

TITLE OF ACTION: Appeal of Pine Barrens Credit Allocation contained in 37 Letters of Interpretation issued to Bernard Meyer and Expressway 60 Patent, a partnership on December 26, 1995.

APPLICANTS: Bernard Meyer and Expressway 60 Patent

SEQRA STATUS: Unlisted Action

LOCATION: North of Concourse Road
Manorville, Town of Brookhaven, New York.

SUFFOLK COUNTY TAX #: 200-411-5-3.1; 3.2; 3.3; 3.4; 3.6; 3.7; 3.8; 4.1; 4.2; 4.3; 4.4;
4.6; 4.7; 4.8; 9.1; 9.2; 9.3; 9.4; 9.6; 9.7; 9.8; 10.2; 10.3;
10.4; 10.6; 10.7; 10.8; 15.2; 15.3; 15.4; 15.5; 15.6; 16.2;
17.1; 17.2; 17.3; and 17.4.

DESCRIPTION OF ACTION:

The applicants are appealing the allocations contained in Letters of Interpretation issued on December 26, 1995. The Pine Barrens Credit Clearinghouse allocated to 37 lots, 0.10 Pine Barrens Credits per lot. Pursuant to Section 6.7.3.4 of the Central Pine Barrens Comprehensive Land Use Plan, the applicants appealed this allocation. Applicants sought to have one (1) full Pine Barrens Credit allocated for each of their 37 lots. Applicant's appeal was heard at a public hearing on February 28, 1996, and continued on March 26 and April 23. The Clearinghouse is proposing to increase the allocation per lot from 0.10 Pine Barrens Credits to 0.40 Pine Barrens Credit.

REASONS SUPPORTING THIS DETERMINATION:

The subject parcels are within the Core Preservation Area of the Central Pine Barrens as defined by the Long Island Pine Barrens Protection Act of 1993. The Act required the preparation of a comprehensive land use plan for the Central Pine Barrens. A component of the Plan is the Pine Barrens Credit Program, a transferrable rights program. The Plan and its SEQRA documents were adopted by the Central Pine Barrens Joint Planning and Policy Commission in June, 1995.

The Supplemental Generic Environmental Impact Statement analyzed the cumulative environmental impact of transferring 1,650 Pine Barrens Credits from the portion of the Core Preservation Area in the Town of Brookhaven to non-Core areas in the Town. However, due to State of New York and County of Suffolk land acquisitions which have occurred subsequent to that analysis the number of potential Pine Barrens Credits has decreased from 1,650. It has been estimated that parcels which could have generated 400 Pine Barrens Credits have been acquired. The increased allocation of 11.1 Pine Credits to 14.8 from the originally allocated 3.7 is still well within the parameters analyzed under the SEQRA process. Therefore the potential environmental impacts associated with the increased allocation are within the scope of the impacts previously analyzed.

A further reason supporting this determination is that the subject lots are within the Core Preservation Area of the Central Pine Barrens as defined by Article 57 of the Environmental Conservation Law as well as Groundwater Management Zone III as defined by the Suffolk County Department of Health. Article 6 of the Suffolk County Sanitary Code governs "Realty Subdivisions, Developments and Other Construction Projects." These regulations require that any development of any parcel less than 40,000 square in Groundwater Management Zone III must have a community sewage system and a community water system. Although waivers to this requirement exist, there is no automatic waiver where five (5) or more of such parcels are owned by a developer. The applicants would be defined as a developer. Therefore, given that applicants owned 37 lots in total each with approximately one-half acre of land area, if developed pursuant to Article 6, the lots could have generated 5,550 gallons of sanitary flow. A Pine Barrens Credit entitles the bearer to increase the permissible sewage flow of one acre of land (40,000 square feet) from 300 to 600 gallons per day in Zone III. Therefore, the allocation of 14.8 Pine Barrens Credits which is equivalent to 4,440 gallons of sanitary flow is less than what could have been generated had the applicant developed his parcels pursuant to Article 6.

CONTACT PERSON: Raymond P. Corwin, Executive Director, Central Pine Barrens Joint Planning and Policy Commission

COPIES OF THIS NOTICE SENT TO: Central Pine Barrens Commission Members
Dennis Moran, Suffolk County Department of Health Services
Bernard Meyer, Terrence Meyer c/o Philip Sanderman, Esq.

July 3, 1996

TRUST & AGENCY - PINE BARRENS
MONTHLY ACTIVITY REPORT
PERIOD ENDING 6/30/96

	<u>ACTIVITY</u>	<u>CLOSING BALANCE</u>
MONEY MARKET ACCOUNT		
<u>NORTH FORK (662400-525-9)</u>		
OPENING BALANCE		545,997.77
<u>ACTIVITY</u>	<u>DATE</u>	
RECEIPTS		
NOTE A	13,590.27	
	0.00	
	0.00	
	0.00	
	0.00	
	<hr/>	
		13,590.27
DISBURSEMENTS		
	0.00	
	0.00	
	0.00	
	0.00	
	0.00	
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		0.00
INTEREST		<hr/>
		1,148.18
CLOSING BALANCE - MONEY MARKET		560,736.22
 <u>CERTIFICATES OF DEPOSIT</u>		
OPENING BALANCE		4,500,000.00
<u>ACTIVITY</u>	<u>DATE</u>	
RECEIPTS		
	0.00	
	0.00	
	0.00	
	0.00	
	0.00	
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		0.00
DISBURSEMENTS		
NOTE A	(13,590.27)	
	0.00	
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		(13,590.27)
INTEREST		<hr/>
		13,590.27
CLOSING BALANCE - CERTIFICATES OF DEPOSIT		<hr/>
		4,500,000.00
TOTAL CLOSING BALANCE - TRUST & AGENCY PINE BARRENS		<hr/><hr/>
		5,060,736.22

**NOTE A: CD INTEREST IS TRANSFERRED TO THE MONEY
MARKET ACCOUNT UPON RECEIPT**

;

NOTES:

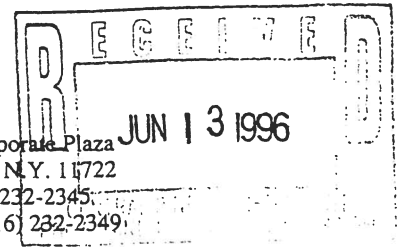
**THE MONEY MARKET INTEREST RATE FOR THE MONTH
OF JUNE WAS 2.5%**

**AS OF 6/30/96 WE HAVE INVESTED 4.5 M IN THE
FOLLOWING CD'S**

BANK	RATE	MATURITY DATE	AMOUNT
EXTEBANK	5.16%	7/2/96	1.0M
NORTHFORK	5.30%	8/5/96	1.0M
NORTHFORK	5.33%	9/10/96	1.5M
NORTHFORK	5.33%	10/1/96	1.0M
TOTAL			4.5M



LONG ISLAND BUILDERS INSTITUTE, INC.



400 Corporate Plaza
Islandia, N.Y. 11722
(516) 232-2345
FAX: (516) 232-2349

June 12, 1996

Central Pine Barrens Joint
Policy and Planning Commission
P.O. Box 587
3525 Sunrise Highway - 2nd Floor
Great River, NY 11739

Dear Commission Members:

Apropos of our position back in June of last year when the Pine Barrens Plan was adopted, we stated there were changes necessary to be made in the Plan in order to protect the property rights of the landowners. We therefore again strongly reaffirm our position regarding single and separate lots plus any other buildable lot that conforms to zoning. We firmly believe under these circumstances a property owner should receive a minimum of a full Pine Barrens Credit instead of any fraction thereof.

In our judgement anything less than the formula stated above constitutes an illegal taking by the simple definition of a taking without just compensation. The Pine Barrens Credit formula reduces ones equity and therefore reduces a property owners value.

As the Pine Barrens Credit Clearinghouse is just getting underway, these changes can still be made. Please give this matter your kind consideration and help us create a fair and equitable resolution of so far unfair formula that does not fulfill the requirements of just compensation.

Sincerely,

Edwin M. Schwenk
Executive Director

EMS:jp

cc: Jim Zizzi, Chairman
Michael Dubb, President



Complete Letter of Interpretations Applications 7/9/96

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Site in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Rita Kellar 6/7/96	200-270-4-25 Calverton	0.49 A 5 Residence	See attached report	Complete	0.0784	Qualifies for allocation pursuant to § 6.7.7.6	1.0
John Andersen 4/19/96 5/17/96 complete	200-511-1-15	0.60 Acres A 5 Residence	See attached report	Complete	0.096	Qualifies for allocation pursuant to § 6.7.7.7	0.10
John Andersen 4/19/96 5/17/96 complete	200-511-1-16	0.50 Acres A 5 Residence	See attached report	Complete	0.08	Qualifies for allocation pursuant to § 6.7.7.6	1.00
William A. Roth III 6/21/96 complete	900-220-1-26	0.09 Acres County Residence 200	See attached report	Complete	0.0162	Uses Town of Southampton allocation formula; Qualifies for allocation pursuant to § 6.7.7.7	0.10
Amedeo D. Raponi 6/24/96 complete	900-241-2-5	0.92 Acres County Residence 200	See attached report	Complete	0.1656	Uses Town of Southampton allocation formula	0.17
Frances McWhorter 5/13/96	900-251-1-5.1 Compatible Growth Area						
Frances McWhorter 5/13/96	900-251-1-5.2 Compatible Growth Area						

Central Pine Barrens Joint Planning and Policy Commission

Meeting For: PBC Clearinghouse

Location: Commission Office

Great River

Date /Time: 7/9/96 1:00

NAME	REPRESENTING	ADDRESS	TELEPHONE/FAX
<u>Allyssa</u>	CPBC/SCWA	Sunrise Hwy Great River	563-0385
<u>Ray P. Lee</u>	CPR		
<u>C. SIEBEL</u>	SELF	P.O. Box 751066 Forest Hills, New York 11375	
<u>G. Hendrix</u>	CPR	Box 242 ng 1003	212 559-3648
<u>DENNIS MORAN</u>	SCDHS	225 RARA D. HAV	853-3084
<u>Carrie K. Meek</u>	LIPBS	P.O. Box 429 Mondoville 11949	369-3300 / 369-3389
<u>Bill Spitz</u>	NYSDEC	BLDA 40 SUNY STONY B.	444-0419
<u>DEAN BETRO</u>	SUFFOLK CO	COUNTY ATTY OFF. HAV.	
<u>William & Sharon Olsen</u>	Civil Property Rights Assoc. Inc.	1139 Flanders Rd. Rald	727-5696
<u>HENRY DITMER</u>	C.P.R.	P.O. Box 202 BRIGHTWATERS, NY	665-2020
<u>ED QUAREMBA</u>	NASSAU	56 PARKVIEW CIRCLE, BETHPAGE 11714	
<u>Scott Cullen</u>		13 South Howells Pt Bellport 11713	
<u>John M. 270</u>	CPBC/SCWA	Sunrise Hwy/Hwy 270	563-5697/277-4097
<u>Jim Rigano</u>	Counsel to Clearinghouse	485 Service Rd Melville, NY	694-8005
<u>George Proios</u>	Commission	P.O. Box 6100 Hauppauge, NY.	853-4654
<u>Christina M. Cooke</u>	Suffolk Co. Treasurer	330 Center Drive Riverhead, N.Y.	852-2686
<u>John C. Cochran</u>	Suffolk Co. Treasurer	"	852-1500
<u>Andrew P. Freleng</u>	Town of Southampton		
<u>Mitchell B. Pally</u>	Long Island Assoc.	80 Hauppauge Rd. Commack	493-3002
<u>Jim 15.00</u>	EDF	253 Park Ave. So N.Y. 10010	212-505-2100-tel 505-2375-fax
<u>ALLAN GRECCO</u>	Co. of Suffolk	N. complex Hauppauge	853-5928

CANCELLED DUE TO LACK
OF A QUORUM

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T. B. TRIPP, ESQ., *CHAIRMAN*
ALLAN GRECCO, ESQ., *VICE CHAIRMAN*
ANDREW P. FRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Clearinghouse Agenda (Draft) for July 30, 1996 3:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of July 9, 1996 Clearinghouse meeting minutes (*attached*)

2. Pine Barrens Credit Clearinghouse Applications

A. Tally of applications processed to date

B. Letters of Interpretations

- Summary of Clearinghouse applications
- Issuance of Letters based on staff reports

C. Pine Barrens Credit Certificates

- Summary of Applications

D. Letters of Interpretations Appeals

- Appeal of Joseph Gazza
 - SEQRA review
 - Decision

3. Program Implementation

- Dutch Auction
- Modification of Registry format

4. Meeting Schedule

July 29, 1996

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

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T. B. TRIPP, ESQ., *CHAIRMAN*
ALLAN GRECCO, ESQ., *VICE CHAIRMAN*
ANDREW P. PRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Clearinghouse Agenda (Final) for August 22, 1996 8:00 A.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of July 9, 1996 Clearinghouse meeting minutes (*attached*)
- Report of County Treasurer

2. Pine Barrens Credit Clearinghouse Applications

A. Tally of applications processed to date

B. Letters of Interpretation

- Summary of Clearinghouse applications
- Issuance of Letters based on staff reports

C. Letters of Interpretation Appeals

- Appeal of Joseph Gazza
 - SEQRA review
 - Decision

3. Meeting Schedule

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., CHAIRMAN
ALLAN D. GRECCO, ESQ., VICE CHAIRMAN
ANDREW FRELENG, A.I.C.P., MEMBER
JOHN F. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

**Pine Barrens Credit Clearinghouse Board of Advisors
Meeting Summary for August 22, 1996 (FINAL)
Central Pine Barrens Joint Planning and Policy Commission Office
Great River, New York 8:00 a.m.**

Present: Board members included Mr. Tripp (representing Brookhaven), Mr. Grecco (representing Suffolk County) Mr. Freleng (representing Southampton), Mr. Hanley, (representing Riverhead) and Mr. Pally (representing New York State). Also in attendance were Mr. Rigano, General Counsel to the Commission. Staff members Ms. Trezza, Mr. Hopkins, Mr. Milazzo, and Ms. Plunkett. Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order by Mr. Tripp at 8:10 a.m.

1. Administrative

- Public Comment period:
At this time there were no public comments.
- Adoption of July 9, 1996 Central Pine Barrens Joint Planning and Policy Commission and Clearinghouse meeting summary:

A motion was made by Mr. Hanley and seconded by Mr. Pally to adopt the meeting summary of July 9, 1996. The motion was approved unanimously.

2. PBC Program Capitalization Funds

- Capitalization Funds Update and Comments of John Cochrane, Suffolk County Treasurer
Summary: Christina Cooke handed out and reviewed the financial report for the month of July. She stated that the interest that was made last month was added to the existing CD's and reinvested. She also stated that \$77,019.19 worth of funds are liquid and available. The Clearinghouse members inquired about the process for making funds available for purchasing PBCs. She stated that this can be arranged.

3. PBC Clearinghouse Applications

- Summary of Clearinghouse Applications
Summary: Mr. Milazzo gave a brief overview of the complete applications for Letters of

Interpretation received by the Clearinghouse to date. Staff reports and work sheets for the applications were distributed to Clearinghouse members. Mr. Milazzo discussed the title searches being done through the County and the problems that have arisen with those. He also mentioned that credit holders or potential credit holders may be hesitant to sell because of the newness of the emerging private PBC market

The Board members voted on a series of resolutions following the summary that was given by staff members.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 2.01 credits on the Josephine Mitacchione Trust application for 200-294-4-22. The motion was approved unanimously.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 1.08 credits on the Mahfar Associates application for 200-294-4-26. The motion was carried unanimously.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.20 credits on the Viola Kearse Long applications for 200-502-1-1;200-530-2-36. The motion was carried unanimously.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.20 credits on the Marilyn Abrams applications for 200-511-1-33;35. The motion was carried unanimously.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.20 credits on the Nancy Rossini Trust applications for 200-562-4-5;6. The motion was carried unanimously.

A motion was made by Mr. Pally and seconded by Mr. Tripp to allocate 5.54 credits on the Louis Gartenberg application for 600-137-4-11.4. The motion was carried unanimously.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.10 credits using the Southampton allocation formula on the James Lombardi application for 900-274-2-14. The motion was carried unanimously.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to allocate 0.10 credits using the Southampton allocation formula on the Joseph Gazza application for 900-282-2-61. This motion rescinds a previous motion made on the same parcel. The motion was carried unanimously.

A motion was made by Mr. Grecco and seconded by Mr. Hanley to allocate 0.10 credits using the Southampton allocation formula on the Joseph Gazza application for 900-334-2-52. The motion was carried unanimously.

- **Joseph Gazza Appeal**

Summary: Mr. Milazzo gave a brief overview of Mr. Gazza's appeal. He noted five parcels are subject to the appeal. The discussions revolved around the four parcels on County Route 51. Mr. Milazzo stated that the applicant is seeking 24+ PBCs as opposed to the 2.21 PBCs allocated to these four parcels. He suggested an alternative allocation that would allocate 8.01 PBCs to the parcels. Mr. Gazza went over the uniqueness of these four parcels discussing how Southampton

TDRs were transferred to the parcels. Mr. Gazza then transferred the parcels generating the Southampton TDRs to The Nature Conservancy before the Pine Barrens Protection Act went into effect. According to Mr. Gazza, these Southampton TDRs are of no value as of this date. A discussion ensued on whether the Southampton TDR Program is still viable. The Town of Southampton Planning Board has requested that PBCs be allocated for the Town TDRs. In light of this request, Mr. Grecco brought up the issue of the uniqueness as a way to be able to adjust the allocated amount of credits. Mr. Hanley suggested that Counsel look into if the credit allocation could be increased to 12-15 credits. This decision is being held until the next meeting.

Andy Freleng left at this point, the Clearinghouse Board continued the meeting with a four member quorum.

- Meeting Schedule

The Next Pine Barrens Credit Clearinghouse Board of Advisors meeting will take place on September 30, 1996 at 3:00 p.m. at the Commission office in Great River. At that time a decision on the Gazza appeal will be made.

4. **Program Implementation (not on the agenda)**

- Dutch Auction

Summary: Mr. Hopkins handed out a draft proposal on the Dutch Auction for the Board members to review. There was a brief discussion on this matter. Under this proposal the Clearinghouse would serve as a depository who would compile lists of offers to sell Pine Barrens Credits received in response to an offer to purchase a identified number of Pine Barrens Credits at a specific price or range of prices by a developer or other party. These lists would then be forwarded to the purchaser, who would be bound to purchase the specified number of credits if offers were received in the specified range.

There was no formal motion to adjourn. The meeting ended at approximately 10:45 a.m.

TRUST & AGENCY - PINE BARRENS
MONTHLY ACTIVITY REPORT
PERIOD ENDING 7/31/96

			<u>ACTIVITY</u>	<u>CLOSING BALANCE</u>
MONEY MARKET ACCOUNT				
<u>NORTH FORK (662400-525-9)</u>				
OPENING BALANCE				560,736.22
	<u>ACTIVITY</u>	<u>DATE</u>		
RECEIPTS				
NOTE A		7/2/96	16,053.33	
			0.00	
			0.00	
			0.00	
			0.00	
			<hr/>	
				16,053.33
DISBURSEMENTS				
NOTE B		7/2/96	(500,000.00)	
			0.00	
			0.00	
			0.00	
			0.00	
			<hr/>	
				(500,000.00)
INTEREST				<hr/>
				229.64
CLOSING BALANCE - MONEY MARKET				77,019.19
 <u>CERTIFICATES OF DEPOSIT</u>				
OPENING BALANCE				4,500,000.00
	<u>ACTIVITY</u>	<u>DATE</u>		
RECEIPTS				
NOTE B		7/2/96	500,000.00	
			0.00	
			0.00	
			0.00	
			0.00	
			<hr/>	
				500,000.00
DISBURSEMENTS				
NOTE A		7/2/96	(16,053.33)	
			0.00	
			0.00	
			0.00	
			0.00	
			<hr/>	
				(16,053.33)
INTEREST				<hr/>
				16,053.33
CLOSING BALANCE - CERTIFICATES OF DEPOSIT				<u>5,000,000.00</u>
TOTAL CLOSING BALANCE - TRUST & AGENCY PINE BARRENS				<u><u>5,077,019.19</u></u>

NOTE A: CD INTEREST IS TRANSFERRED TO THE MONEY
MARKET ACCOUNT UPON RECEIPT
NOTE B: TRANSFER FROM MM ACCOUNT TO CD

NOTES:

**THE MONEY MARKET INTEREST RATE FOR THE MONTH
OF JULY WAS 2.5%**

**AS OF 7/31/96 WE HAVE INVESTED 5.0 M IN THE
FOLLOWING CD'S**

BANK	RATE	MATURITY DATE	AMOUNT
NORTHFORK	5.30%	8/5/96	1.0M
NORTHFORK	5.33%	9/10/96	1.5M
NORTHFORK	5.33%	10/1/96	1.0M
NORTHFORK	5.40%	11/4/96	1.5M
TOTAL			5.0M

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
ALLAN D. GRECCO, ESQ., *VICE-CHAIRMAN*
ANDREW P. FRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Status Report as of August 22, 1996

Pine Barrens Credit Certificates

The number of Pine Barrens Credit Certificates issued is as follows:

Brookhaven: 1 Pine Barrens Credit Certificate
3.26 Pine Barrens Credits

Pending Pine Barrens Certificates

Sixteen informational searches have been performed by the County. Title to eight (8) of the parcels was adequate for the County to accept an easement on them. Eight (8) conservation easements have been prepared and mailed to applicants for their review and acceptance. Staff has spoken with the applicants explaining this process. One applicant performed his own title search which demonstrated acceptable title for the County to accept an easement.

Brookhaven: 4 Pine Barrens Credit Certificates
1.55 Pine Barrens Credits

Southampton: 5 Pine Barrens Credit Certificates
1.68 Pine Barrens Credits

Eight (8) searches revealed title problems which would restrict the ability of the landowner to convey a conservation easement to the County. Staff is informing the applicant's of the problems.

Four (4) applications have been forwarded to the County for informational searches.

Five (5) applications are to be forwarded to the County.

Complete Letter of Interpretations Applications
8/22/96

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Size in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Josephine Mitacchione Trust 7/5/96	200-294-4-22	5.02 Acres A2 Residence	See attached report	Complete	2.008		2.01
Mahfar Associates 8/5/96	200-294-4-26	2.7 Acres A2 Residence	See attached report	Complete	1.08		1.08
Viola Kearse Long 7/8/96	200-502-1-1 Yaphank	0.09 Acres A5 Residence	See attached report	Complete	0.0144	Qualifies for minimum allocation of 0.10	0.10
Marilyn Abrams 8/2/96	200-511-1-33	0.10 Acres A5 Residence	See attached report	Complete	0.016	Qualifies for minimum allocation of 0.10	0.10
Marilyn Abrams 8/2/96	200-511-1-35	0.10 Acres A5 Residence	See attached report	Complete	0.016	Qualifies for minimum allocation of 0.10	0.10
Viola Kearse Long 7/8/96	200-530-2-36 Yaphank	0.27 Acres A5 Residence	See attached report	Complete	0.0432	Qualifies for minimum allocation of 0.10	0.10
Nancy Rossini Trust 7/15/96	200-562-4-5 Eastport	0.36 Acres A5 Residence	See attached report	Complete	0.0576	Qualifies for minimum allocation of 0.10	0.10
Nancy Rossini Trust 7/15/96	200-562-4-6 Eastport	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10	0.10
Louis Gartenberg	600-137-4-11.4	4.09 Acres Residence C	See attached report	Complete	6.544	Parcel has abandoned single family house with hand drawn well/pump	Proposed revised allocation of 5.54

James Lombardi 8/9/96	900-274-2-14	0.46 Acres Country Residence 200	See attached report	Complete	0.0828	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
Joseph Gazza	900-282-2-61	0.25 Acres Country Residence 200	See attached report	Complete	0.045	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
Joseph Gazza 7/31/96	900-334-2-52	0.04 Acres Country Residence 200	See attached report	Complete	0.0072	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10

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CREDIT APPLICATION STAFF REPORT

Issue Date: 8/16/96

Field Visit: 8/14/96

Item	Tax Map Number:
	200-294-4-22
Applicant Name	Joseph I. Mitacchione
Location/Access	West of William Floyd Parkway, north of NY State Route 25, Ridge. Town of Brookhaven. Parcel is accessible from an improved service road off of the Parkway. Parcel is not on the core roadfront exemption list.
Hagstrom Map #	Map 19, K-23
Aerial #	Not available at this time.
Acreage	5.02 acres
Topography/Geologic Features	Relatively flat at approximately 90' above mean sea level.
Soils (SC Soil Survey)	HaA (Haven loam, 0-2% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant, however two residences exist immediately to the north of the subject parcel.
Zoning	A2 Residence. Minimum lot area 80,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Ridge
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 8/16/96

Field Visit: 8/14/96

Item	Tax Map Number:
	200-294-4-26
Applicant Name	Mahfar Associates
Location/Access	North side of NY State Route 25, west of William Floyd Parkway Ridge, Town of Brookhaven. Parcel is accessible from an improved service road off of Route 25. Parcel is not on the core roadfront exemption list.
Hagstrom Map #	Map 19, K-23
Aerial #	Not available at this time.
Acreage	5.02 acres
Topography/Geologic Features	Relatively flat at approximately 90' above mean sea level.
Soils (<i>SC Soil Survey</i>)	HaA (Haven loam, 0-2% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant, however two residences exist immediately to the north of the subject parcel.
Zoning	A2 Residence. Minimum lot area 80,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Ridge
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 7/30/96

Item	Tax Map Numbers: 200-502-1-1, 200-530-2-36
Applicant Name	Viola Kears Long
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from an open but unimproved, paper road.
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.09 and .27 acres respectively
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdB (Riverhead sandy loam, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the south and east of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	Suffolk County owns many of the small parcels within this old filed map. Verify title prior to issuing credits.

CREDIT APPLICATION STAFF REPORT

Issue Date: 8/16/96

Item	Tax Map Number: 200-511-1-33 & 35
Applicant Name	Marilyn Milder (Abrams)
Location/Access	West of Pollistena Blvd., a paper road that is opened however not improved and north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	.10 acre each (not adjacent)
Topography/Geologic Features	Rolling, morainal topography, approximately 200' mean sea level.
Soils (SC Soil Survey)	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	Vacant.
Zoning	A5 Residence
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 7/30/96

Item	Tax Map Numbers:
	200-562-4-5 & 6
Applicant Name	Nanacy & Vito Rossini
Location/Access	North of CR 111, west of Toppings Path, Manorville, Town of Brookhaven. Parcel is accessible from unimproved, paper roads.
Hagstrom Map #	Map 19, N-27
Aerial #	Not available at this time.
Acreage	.36 and .37 acres respectively.
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (SC Soil Survey)	Generally HaA (Haven loam, 0-2% slopes) with HaB(Haven loam, 2-6% slopes) RdB (Riverhead sandy loam, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak/Heath Woodland.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Eastport
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 5/15/96

Field Visit: 5/14/96

Item	Tax Map Number
	600-137-4-10.4, 11.6
Applicant Name	Louis and Patricia Gartenberg
Location/Access	South side of River Road, just west of the LIE overpass, Calverton, Town of Riverhead. Parcel 10.4 fronts on and has access from River Road. Parcel 11.6 fronts on two unimproved paper roads - Riverview Avenue and Adams Street.
Hagstrom Map #	Map. 22, L-29
Aerial #	R 6-71 (April 5, 93)
Acreage	1.65 and 4.09 acres respectively as per survey prepared by Young and Young, last dated November 21, 1995.
Topography/Geologic Features	Relatively flat, approximately 50' above mean sea level.
Soils (SC Soil Survey)	Wareham loamy sand and Berryland mucky sand.
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	There are freshwater wetlands that cover a large portion of lot 11.6 that are associated with the Peconic River to the south.
Vegetative Cover Type	The front portion of lot 10.4 contains grass and other ornamental species. The remainder of the site including the paper roads contain pitch pine-oak woods and pine barrens shrub swamp species associated with the wetlands.
Rare and Endangered Species	Not available at this time.
Cultural Resources	Not available at this time
Land Use	Lot 10.4 is vacant, lot 11.6 contains an abandoned single family residence.
Zoning	Residence C (20,000 square foot minimum)
School District	Riverhead
Public Water	Yes
Public Sewer	No.
Fire/Police District	Calverton
Comments	It could be verified if there is a septic system associated with the existing residence prior to issuing credits. A portion of lot 10.4 has a grading easement over it pursuant to the construction of the LIE overpass, according to the surveyor, however the Gartenbergs still have ownership of this area.

CREDIT APPLICATION STAFF REPORT

Issue Date: 8/16/96

Item	Data
Applicant Name/Tax Map #	James A. Lombardi 900-274-2-14
Location/Access	North of Sunrise Highway, approximately 3,100' west of Speonk-Riverhead Road, Speonk, Town of Southampton. Parcel fronts on and takes access from Lincoln Avenue, an unimproved paper road.
Hagstrom Map #	Map 23, O-29
Aerial #	Not available at this time.
Acreage	.46 acres
Topography/Geologic Features	Relatively flat, approximately 60' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdA (Riverhead sandy loam, 0-3% slopes) and RdB (Riverhead sandy loam 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None
Vegetative Cover Type	Pitch pine - oak forest as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not known at this time.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Speonk-Remsenburg
Public Water	No
Public Sewer	No
Fire/Police District	Eastport
Comments	Suffolk County owns a majority of the lots in this old filed map. There are some trails cut throughout this area, however the pattern does not seem to follow the paper road network.

CREDIT APPLICATION STAFF REPORT

Issue Date: 8/20/96

Item	Tax Map Numbers:
	900-282-2-61
Applicant Name	Joseph Gazza
Location/Access	North of property owned by the Town of Southampton and air base housing, just west of CR31, Westhampton, Town of Southampton. Parcel fronts on Manhattan Avenue, a paper road, however there is no access to this road so the parcel is landlocked.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.25 acre.
Topography/Geologic Features	Relatively flat, approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Predominantly CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest as per the Town of Southampton <i>Western Generic Environmental Impact Statement</i> .
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 8/20/96

Item	Tax Map Numbers:
	900-334-2-52
Applicant Name	Joseph Gazza
Location/Access	North of LIRR, east of Summit Blvd., Westhampton, Town of Southampton. Parcel fronts on a paper road however the road network for this old filed map does not appear to have access from any improved, hence the parcel is landlocked.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.04 acre
Topography/Geologic Features	Relatively flat, approximately 50' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Predominantly CpA (Carver and Plymouth sands, 0-3% slopes), and PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest as per the Town of Southampton <i>Western Generic Environmental Impact Statement</i> .
Rare and Endangered Species	Not available at this time.
Land Use	Vacant.
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

Town of
Southampton,



Southampton
Long Island, N. Y.

ENVIRONMENTAL ASSESSMENT FORM - PART I
(EAF)

A. GENERAL INFORMATION

1. Name of project or application: JOSEPH FREDERICK GAZZA & IRINE
HOPE GAZZA
2. Total area of project site: _____ sq. ft. or 9.76979 acres + TDR OF
33 parcels (Separate m. & lots) HAVING ADDITIONAL AREA OF 678,140 sq. ft.
3. Name and mailing address of owner (if different than owner) Name and address of applicant

FOR DEPOSIT ONLY

JOSEPH FREDERICK GAZZA
(Name) ATTORNEY-AT-LAW
P. O. BOX 969, 5 OGDEN LANE
(Street or P.O. Box) QUOGUE, NEW YORK 10959
(State) (516) 653-5768

(P.O.) (State) (Zip)

Business Phone: _____

Home Phone: _____

FOR DEPOSIT ONLY

JOSEPH FREDERICK GAZZA
(Name) ATTORNEY-AT-LAW
P. O. BOX 969, 5 OGDEN LANE
(Street or P.O. Box) QUOGUE, NEW YORK 10959
(State) (516) 653-5768

(P.O.) (State) (Zip)

Business Phone: _____

Home Phone: _____

4. Location of project site:

Town of Southampton Rosenburg - East Moriches - Riverhead Rd.
(hamlet) (street)

OLD MORICHES - RIVERHEAD ROAD
(nearest cross road & distance)

B. PROJECT SITE INFORMATION:

1. Briefly describe the current use of the project site: VACANT LANDS &
PRESERVED LANDS VIA TOWN OF SOUTHAMPTON TDR PROGRAM
7 PARCELS COMBINED INTO 4 PARCELS WITH 33 OTHER SEPARATE
PARCELS TDR'ED INTO THE 4 TOWN DESIGNATED BUILDING PLOTS.
REQUESTED PSC IS 24 + FOR ALL MY LANDS THAT COMPOSE THIS
APPLICATION.

2. Municipal Zoning:

a. What is the zoning classification(s) and minimum area requirement for the project site?

CR-200 5 AC Residential

b. Does project conform to current zoning? Yes X or No _____

c. If no, indicate desired zoning N/A

d. What is the dominant land use and zoning classification within a quarter-mile radius of the project site? (e.g. single-family, residential; R-60)

CR-200 single-family Residential

3. Current land use of project site (by percentage):

Industrial _____%; Commercial _____%; Residential 100 %

Agricultural _____%; Vacant 100 %; Other _____%

4. Does the project site contain or is it contiguous to any building or site either listed or eligible for listing on the National Register of Historic Places or any state or municipal register? Yes _____ or No X. If Yes, indicate building or site _____

5. Is the project site currently used by the community or neighborhood, either formally or informally, as an open space or recreation area? Yes _____ or No X

6. Do hunting or fishing opportunities currently exist on the project site? Yes _____ or No X

7. Does the project site currently offer or include any scenic views or vistas known to be important to the community? Yes _____ or No X

8. Are there any streams, tributaries, ponds, lakes or wetlands on or within 300 feet of the project site? Yes _____ or No X

9. Is the project site on or within 300 feet of the 100 year flood plan, as identified on the flood insurance rate maps prepare by the Federal Emergency Management Agency? Yes _____ or No X

10. Wildlife and Plant Resources: (Fauna and Flora)

a. Describe the predominant wildlife types on the site:

White tail Deer

Common Crow

- b. Do any endangered, rare, threatened, unique, protected or significant species of wildlife utilize the project site or portions of the project site for feeding, nesting or breeding? Yes _____ or No X. If yes, show location (s) on development plans.
- c. Are any endangered, rare, threatened, unique, protected or significant species of wildlife known to visit within 200 feet of the site? Yes _____ or No X. If yes, briefly describe species and activity. (Use separate sheet.)
- d. Are any endangered, rare, threatened, unique, protected or significant species of plants found on the site? Yes _____ or No X. If yes, provide list and show locations on the development plan.

NOTE:

the 33 TDR'd parcels were owned by OAK, PINE, Woodland Hummer
Federal, State and Municipal endangered /protected list should be referred to in answering the above questions. If a NO response is provided for any of the above, indicate the individual who made these findings.

Name Joseph Frederick GAZZA Profession Attorney At Law

11. Soil Resources:

- a. Soil association(s): CARVER & PLYMOUTH SANDS
- b. Soil type(s): CARVER & PLYMOUTH
- c. Minimum depth to seasonal high water table 135 feet.

(Source of information US Dept. of Agriculture Soil & Conservation Service
SC DEW TOPO MAP FIVE EASTERN TOWNS)

12. Topographic and Geologic Resources:

- a. General character of land: uniform slope X; uneven ^{moderately} rolling or irregular _____
- b. Approximate percentage of project site with the following slopes:
0-10% 100; 10-15% _____; 15-25% _____; greater than 25% _____
- c. Are any of the following geologic features found on the site or within 200 ft.?
kettlehole or depression No; swale No; sand dune No;
bluff No; other Rolling Woodland

13. <u>Approximate area of land cover:</u>	<u>Sq. ft. or Existing Acres</u>	<u>Sq. ft. or Proposed Acres</u>
Oak woodland	_____	_____
Pine/oak woodland	<u>25.34 AC</u>	<u>25.34 AC</u>
Successional field	_____	_____
Pasture or cropland	_____	_____
Freshwater wetland	_____	_____
Tidal wetland	_____	_____
Beach, dune or bluff	_____	_____
Unvegetated earth	_____	_____
Filled land	_____	_____
Roads, buildings & other impermeable paved surfaces	_____	_____
Permeable surfaces	_____	_____
Lawns	_____	_____
Landscaped areas (excluding lawns)	_____	_____

C. **PROJECT INFORMATION:**

1. Briefly describe the project or proposed use.

People to obtain PBC for 25.34 AC which was
fully 40 square mx lots scattered all over the area
Baron Area of Core Preservation. Single & Square Lots Available in Model.

2. If project or use is industrial, briefly explain the manufacturing processes involved and/or the product.

N/A

a. What is the standard industrial classification code for this use?

3. If project is single phase, what is the anticipated commencement date for construction? ____ month ____ year
What is the anticipated length of construction period? ____ months, or ____ years
N/A
4. If project is to be constructed in phases, indicate the following:
- | a. | Phase | Units/acreage | Construction | |
|----|-----------|---------------|--------------|------------|
| | | | Commencement | Completion |
| 1 | <i>MA</i> | | | |
| 2 | | | | |
| 3 | | | | |
- b. Is Phase I financially dependent on subsequent phases? Yes ____ No ____
5. What is the length of the project? In miles *N/A* (if applicable)
6. How much of the project area is currently in a natural condition?
____ sq. ft. or *25* acres.
7. How much of the project area will remain undeveloped? ____ sq. ft.
or *25* acres.
8. How much natural material (i.e., topsoil, sand, gravel, stone, etc...) will be removed from the project site? *0* tons or *0* cubic yards.
9. How many acres of vegetation (trees, shrubs, ground cover, etc.) will be removed from the project site? *0* sq. ft. or *0* acres.
10. How many acres of vegetation will be replaced? *0* sq. ft.
or *0* acres
11. Will the project or use result in either an increase or decrease in the surface area of any existing water bodies or waterways? Yes ____ or No *X*.
If yes, explain: _____

12. Will the project or use require the routine application of herbicides and/or pesticides? Yes ____ or No *X*. If yes, list products which will be applied and reason.

13. Will project or use routinely produce odors (more than one hour per day?)
Yes _____ or No X

14. Will project or use routinely produce operating noises exceeding the local ambient noise level? Yes _____ or No X. If yes, indicate time periods, source and noise level.

15. What is the maximum vehicular trips per hour which will be generated by the project or use upon completion? 0

16. Will the project or use result in an increase in energy use? Yes. _____ or No X. If yes, what quantity? _____

17. For new commercial projects or uses, indicate the following:

N/A

- a. Gross floor area of buildings _____ sq. ft.
- b. Area of site to be developed _____ sq. ft. or _____ acres
- c. Area of outdoor storage and display _____ sq. ft. or _____ acres
- d. Number of customers or visitors per day _____
- e. Number of proposed off-street parking spaces _____
- f. Total number of employees _____
- g. What is the total height of the tallest proposed structure _____

18. For the expansion of existing commercial projects or uses, indicate the following:

N/A

- a. Gross floor area of new building(s) or addition(s) _____ sq. ft.
- b. Additional area of site to be developed _____ sq. ft.
- c. Additional outdoor storage and display area _____ sq. ft.
- d. Increased number of customers or visitors per day _____
- e. Additional off-street parking spaces _____
- f. Additional employees _____

19. For residential projects, indicate the number and type of housing units:

	Single-family	Duplex Multi-family	Condominium-Cooperative
Initially	<i>Request \$151,000 - worth of PBC's.</i>		
Ultimately			

20. Water Supply

- a. Depth to groundwater: 135 feet
- b. Elevation of groundwater: 135 USGS Datum
- c. Will excavations require dewatering? Yes _____ or No X
- d. Volume of water required by project or proposed use: 45 GPD
- e. Source of water supply (as indicated on development plan):
private, on-site well _____; public _____; private _____;
community system _____ TDR Application only here.
- f. If water supply is from private, on-site well, what is the pumping capacity? N/A gals/minute

21. Sanitary Waste Disposal:

- a. How much sanitary waste will be generated by the project or proposed use? 0 GPD
- b. What method of sanitary waste treatment will be utilized? on-site N/A
septic system _____; modified subsurface sewage disposal system _____; community sewage disposal system _____; municipal treatment plant _____; other _____
- c. If a treatment system is proposed, indicate location on the development plan.
- d. What level of treatment will be employed? primary _____; secondary _____; tertiary _____; denitrification _____
- e. Is any surface disposal of liquid waste proposed? Yes _____ or No _____. If yes, indicate type of liquid, amount and direction of runoff.

TDR or PBC credit Application only

- f. Other point source discharges: N/A

- g. Water Pollution Discharge Elimination System (SPDES) permit
being required? Yes _____ or No _____. If yes, explain why.

22. Solid Waste Disposal: N/A

- a. How much solid waste will be generated by the project or use?
_____ CY/D or _____ tons
- b. Will the project or use involve the burying of solid waste on the project
site? Yes _____ or No _____. If yes, explain type of solid
waste, source and burial process. _____

23. For all non-residential projects, indicate the following information: N/A

- a. List all wastes which will be generated--other than sanitary waste--
and their quantity. _____

- b. What is the proposed method of collection, treatment and discharge of
all wastes other than sanitary waste? _____

- c. List toxic and hazardous materials and quantities which will be
stored on site. _____

- d. List toxic and hazardous materials and quantities which will be used on
site. _____

- e. Storage tanks will be above ground _____ below ground _____
- f. Materials stored in dry state _____ ; liquid state _____
- g. What is the storage capacity of the tanks? _____ gallons

24. For all projects requiring clearing of more than 80,000 sq. ft. and/or all subdivisions of two or more lots, indicate the following:

- N/A
- a. Area to be regraded _____ sq. ft. or _____ acres
- b. Cubic yards of cut _____ cubic yards
- c. Cubic yards of fill _____ cubic yards
- d. Greatest depth of excavation or cut _____ feet
- e. Greatest depth of fill _____ feet
- f. Maximum artificial slopes after construction: (horizontal:vertical)
_____ 2:1 (not recommended) _____ 3:1 _____ 5:1
_____ 10:1
- g. Briefly describe method(s) to reduce erosion during and after construction. _____

- h. Will retaining walls be used? _____

25. For all projects on site greater than 80,000 sq. ft. and/or all subdivisions of two or more lots, indicate the following:

- a. Volume of stormwater runoff for a 25-year storm: 0 cu. ft.
- b. Percent of runoff maintained on site 100
- c. Method of handling runoff: leaching pools _____, natural drainage area X; on-site recharge basin _____; off-site recharge area _____; other _____
- d. Will there be a discharge into a body of water? Yes _____ or No X
If yes, explain why _____

26. Project Economics:

1. How many jobs will be generated during construction? 0
after project completion? 0
2. How many jobs will be eliminated by this project? 0
3. Will the project or use require the relocation of any projects or facilities?
Yes _____ or No X. If yes, explain _____

4. For projects having construction costs greater than \$250,000, what is the estimated cost of construction? N/A
5. For commercial and industrial projects, what is the market orientation or scale of development? N/A
regional _____; community _____; local _____
6. Other economic impacts: Govt. must buy my Development Rights for \$157,000 to make me whole for a 1990 investment without profit.

D. Additional Approvals:

	Yes/No	Type of approval Required	Date Submitted	Date Approved
Town Board	_____	_____	_____	_____
Town Planning Board	_____	_____	_____	_____
Town Zoning Board	_____	_____	_____	_____
Town Trustees	_____	_____	_____	_____
Town Highway Dept.	_____	_____	_____	_____
Other local agencies	_____	_____	_____	_____
County Health Dept.	_____	_____	_____	_____
Other regional agencies	_____	_____	_____	_____
N.Y.S.D.E.C.	<u>X</u>	<u>Pine Barrens</u>	<u>Commission</u>	<u>for PBC</u>
Other state agencies	_____	_____	_____	_____
Federal agencies	_____	_____	_____	_____

2. Does the project involve any State or Federal funding or financing?
Yes X or No _____. If yes, explain Buying my Development Rights

E. Professional Information:

1. Individual Preparing EAF

FOR DEPOSIT ONLY

Name JOSEPH FREDERICK GAZZA Signature [Signature] Title _____
ATTORNEY-AT-LAW
 P. O. Box 8805, Street Address _____
QUOGUE, NEW YORK 12550
 Post Office 583-5768 State _____ Zip Code _____

Business Phone: _____

2. Date of EAF preparation: 7/96

3. Project Engineer (if different than above):

TEA, Barrett, LANZIGRA & FRINK L.S. & P.E.
Name Title
Middle Country Road
P. O. Box or Street Address
Ridge NY 11961
Post Office State Zip Code
Business Phone: (516) 924-3230

4. Project Architect (if applicable and if different than above):

N/A
Name Title
P. O. Box or Street Address
Post Office State Zip Code
Business Phone: ()

[illegible]

PINE BARRENS CREDIT CLEARINGHOUSE ---

JAMES T. B. TRIPP, ESQ., *CHAIRMAN*
ALLAN GRECCO, ESQ., *VICE CHAIRMAN*
ANDREW P. FRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Clearinghouse Agenda (FINAL) for September 30, 1996 3:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of August 22, 1996 Clearinghouse meeting minutes
- County Treasurer's Report

2. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretation

- Summary of Clearinghouse applications
- Issuance of Letters based on staff reports

B. Letters of Interpretation Appeals

- Appeal of Joseph Gazza
 - SEQRA review
 - Decision

3. Program Implementation

- Model Private Offer
- Draft Letters for non-residential property owners

4. Meeting Schedule

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., CHAIRMAN
ALLAN D. GRECCO, ESQ., VICE CHAIRMAN
ANDREW P. FRELENG, A.I.C.P., MEMBER
JOHN F. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for September 30, 1996 (FINAL) Central Pine Barrens Joint Planning and Policy Commission Office Great River, New York 3:00 p.m.

Present: Board members included Mr. Tripp (representing Brookhaven), Mr. Grecco (representing Suffolk County) Mr. Freleng (representing Southampton), Mr. Hanley, (representing Riverhead) and Mr. Pally (representing New York State). Also in attendance were Ms. Roth, General Counsel to the Commission. Staff members Ms. Trezza, Mr. Hopkins, Mr. Milazzo, and Ms. Plunkett. Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order by Mr. Tripp at 3:10 p.m.

At this time there was no quorum. Mr. Freleng and Mr. Pally were not present.

1. Administrative

- Public Comment period
At this time there were no public comments.
- Capitalization Funds Update and Comments of John Cochrane, Suffolk County Treasurer
Summary: Christina Cooke handed out and reviewed the financial report for the month of August. She stated that the \$77,019.19 worth of interest from last month was put into a money market account. The total closing balance for the month of August '96 was \$5,093,701.17. The Clearinghouse members inquired about the process for making funds available for purchasing PBCs. She stated that this can be arranged.
- Dutch Auction (agreement between Clearinghouse and SCWA)
Summary: Mr. Hopkins described a draft Dutch Auction proposal for the Board members to review. Under the generic proposal, the Clearinghouse would serve as a depository who would compile lists of offers to sell Pine Barrens Credits received in response to an offer to purchase a identified number of Pine Barrens Credits at a specific price or range of prices by a developer or other party. These lists would then be forwarded to the purchaser, who would be bound to purchase the specified number of credits if offers were received in the specified range. It was suggested by Counsel that this be handled as if it was an RFP (request for proposal). The Suffolk County Water Authority is seeking to purchase two Pine Barrens Credits for redemption at its Coram facility. A draft letter agreement between the Suffolk County Water Authority and the Clearinghouse was distributed for review. All terms referring to "Dutch Auction" were replaced with Requests to Offers to Sell Pine Barrens Credits for clarity reasons. The issue of indemnification was raised and discussed among Board members.

At this point Mr. Freleng and Mr. Pally entered the meeting, thus creating a quorum.

A motion was made by Mr. Hanley and seconded by Mr. Grecco to approve the "Request for Offers to Sell Pine Barrens Credits" draft letter as amended and discussed on September 30, 1996. The motion was approved unanimously.

- Adoption of August 22, 1996 Central Pine Barrens Joint Planning and Policy Commission and Clearinghouse meeting summary

A motion was made by Mr. Freleng and seconded by Mr. Pally to adopt the meeting summary of August 30, 1996. The motion was approved unanimously.

2. PBC Clearinghouse Applications

- Summary of Clearinghouse Applications

Summary: Staff gave a brief overview of the complete applications for Letters of Interpretation received by the Clearinghouse to date. Staff reports and work sheets for the applications were distributed to Clearinghouse members.

A motion was made by Mr. Pally and seconded by Mr. Grecco to approve the allocations for the following applications (see chart) except for the Joseph Frost and M.J. Forte Enterprises applications. The motion was carried unanimously.

Staff had a question on which area description to use for the Frost allocation because the parcels' areas differ between the application, the tax bill, and the tax map. However, regardless of the area used the parcels always receive the minimum allocation of 0.10 PBCs. Therefore staff was instructed to allocated 0.10 PBCs to each parcel.

A motion was made by Mr. Freleng and seconded by Mr. Grecco to allocate 0.20 credits on the Joseph Frost applications for 200-511-6-33; 35. The motion was carried unanimously.

The M.J. Forte application was not allocated any PBCs because the property can not be found. Mr. Milazzo stated that neither a survey nor a metes and bounds description were submitted with the application. The application did contain a deed indicating the parcel was in the Map of Eastport Estates. A tax bill from 1991 indicated that the property location was "not currently listed." The parcel's location could not be ascertained. In addition, both the Town of Southampton and the Suffolk County Real Property Tax Services were unable to determine the parcel's location. The Board decided not to issue a Letter of Interpretation to the parcel given the uncertainty of its location. Staff was instructed to write to the applicant informing him of the same.

- Nassau County Council of Boy Scouts

Summary: Mr. Milazzo distributed a draft letter addressed to the Council's Attorney for the Board members review and approval concerning the number of Credits that could be allocated to the Council's 550 acre parcel. The Council through its attorney in July, 1996 requested to know of the number of credits that could be allocated to the parcel. At that time, Clearinghouse staff informed the Council's attorney to make a formal Letter of Interpretation to ascertain the number of credits and supplied him with the necessary forms. To date no formal application has been made. However, the Council has made an application to the Central Pine Barrens Joint Planning and Policy Commission for a Core Preservation Area hardship to facilitate the development of a 147 acre golf course on their 550 acre site. The 147 parcel would be sold to a private developer for such development. The Clearinghouse felt it was appropriate to send to the Council's attorney the attached letter informally estimating the number of PBCs which could be allocated to the 550 acre parcel. The draft letter was revised to clearly indicate that this estimation was subject to a formal application from the Council's.

A motion was made by Mr. Grecco and seconded by Mr. Hanley to approve the draft letter to be sent to the Nassau County Council of Boy Scouts. The motion was carried unanimously.

- **Gazza Appeal**

Summary: Mr. Tripp reviewed the methodology for allocating credits to the parcels that were the subject of Mr. Gazza's appeal. A staff report discussing the appeal was distributed. Mr. Tripp then summarized a possible approach for the Clearinghouse to follow in deciding the appeal. The appeal will be broken into two groups, the Summit parcel and the College parcels. The allocation for the Summit Boulevard will not be revised. The College parcels' allocation will be increased from 2.21 PBCs to 13.4 PBCs. Mr. Tripp summarized the allocation. Pursuant to the prior Clearinghouse appeal the three interior parcels individual allocation will be increased to 0.8 PBCs respectively given their proximity to the parcel fronting on County Route 51 which is controlled by the applicant as well. Prior to applying for a Letter of Interpretation, the applicant sterilized 33 parcels in the Core Preservation Area by conveying 678,140/200,000 town residential development rights to the College Parcels. In light of this action, the Clearinghouse will allocate to the town residential development rights stored on the College parcels 3.4 PBCs. Subsequently to the sterilizing the 33 parcels, the applicant conveyed them to The Nature Conservancy. The Clearinghouse will allocate 6.6 PBCs for these conveyances. Mr. Freleng stated for the record that he objected to the allocation of PBCs for the conveyances.

Mr. Milazzo distributed a draft negative declaration for the Clearinghouse members review.

A motion was made by Mr. Pally and seconded by Mr. Grecco to issue a negative declaration on the Joseph Gazza appeal. The motion was carried unanimously.

A motion was made by Mr. Hanley and seconded by Mr. Pally not to revise the allocation to the Summit Parcel and to approve the allocation of 13.4 PBCs to the College Parcels as both are recommended in the staff report.. The motion was carried unanimously.

At this point Mr. Gazza raised the issue of donating the property instead of filing a Conservation Easement. A discussion ensued and it was decided that Counsel and staff should draft a policy to deal with this issue. It was also suggested that a Plan Amendment may be needed to accomplish this.

- **Issuance of Pine Barrens Credit Certificates**

Summary: Mr. Milazzo stated that Wading River Northeast Associates sold the property and the credit allocated to the property to Campo Brothers. A new PBC Certificate has been issued to Campo Brothers upon proof on conveyance.

4. Meeting Schedule

Summary: The next Clearinghouse meeting will be on October 29, 1996 at 5:00 p.m. in the Commission Office in Great River.

A motion was made by Mr. Pally and seconded by Mr. Grecco to enter executive session. The motion was carried unanimously.

TRUST & AGENCY - PINE BARRENS
MONTHLY ACTIVITY REPORT
PERIOD ENDING 8/31/96

		<u>ACTIVITY</u>	<u>CLOSING BALANCE</u>
MONEY MARKET ACCOUNT			
<u>NORTH FORK (662400-525-9)</u>			
OPENING BALANCE			77,019.19
	<u>ACTIVITY</u>	<u>DATE</u>	
RECEIPTS			
NOTE A	16,488.89		
	0.00		
	0.00		
	0.00		
	0.00		
	<hr/>		
		16,488.89	
DISBURSEMENTS			
	0.00		
	0.00		
	0.00		
	0.00		
	0.00		
	<hr/>		
		0.00	
INTEREST			<hr/>
		193.09	
CLOSING BALANCE - MONEY MARKET			93,701.17
 <u>CERTIFICATES OF DEPOSIT</u>			
OPENING BALANCE			5,000,000.00
	<u>ACTIVITY</u>	<u>DATE</u>	
RECEIPTS			
	0.00		
	0.00		
	0.00		
	0.00		
	0.00		
	<hr/>		
		0.00	
DISBURSEMENTS			
NOTE A	(16,488.89)		
	0.00		
	0.00		
	0.00		
	0.00		
	<hr/>		
		(16,488.89)	
INTEREST			<hr/>
		16,488.89	
CLOSING BALANCE - CERTIFICATES OF DEPOSIT			<hr/>
		5,000,000.00	
TOTAL CLOSING BALANCE - TRUST & AGENCY PINE BARRENS			<hr/>
		5,093,701.17	

**NOTE A: CD INTEREST IS TRANSFERRED TO THE MONEY
MARKET ACCOUNT UPON RECEIPT**

NOTES:

**THE MONEY MARKET INTEREST RATE FOR THE MONTH
OF AUGUST WAS 2.5%**

**AS OF 8/31/96 WE HAVE INVESTED 5.0 M IN THE
FOLLOWING CD'S**

BANK	RATE	MATURITY DATE	AMOUNT
NORTHFORK	5.33%	9/10/96	1.5M
NORTHFORK	5.33%	10/1/96	1.0M
NORTHFORK	5.40%	11/4/96	1.5M
NORTHFORK	5.40%	12/9/96	1.0M
TOTAL			5.0M

Complete Letter of Interpretations Applications
9/30/96

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Size in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Darlene Oaks and others 8/26/96	200-294-4-25	2.74 Acres A Residence 2	See attached report	Complete	1.096		1.10
Joseph Hirow 9/3/96	200-359-1-30	0.06 Acres A Residence 5	See attached report	Complete	0.0096	Qualifies for minimum allocation of 0.10	0.10
W.W.C. Holding Corp. 8/30/96	200-464-1-1	24.38 Acres A Residence 5	See attached report	Complete	3.9008		3.9
Hugo Ritucci 8/16/96	200-502-1-12	0.23 Acres A Residence 5	See attached report	Complete	0.0368	Qualifies for minimum allocation of 0.10	0.10
Angela Cotroneo Carol Nesta (Power of Attorney) 8/23/96	200-502-2-1	0.23 Acres A Residence 5	See attached report	Complete	0.0368	Qualifies for minimum allocation of 0.10	0.10
James McCabe 8/22/96	200-503-2-26	0.23 Acres A Residence 5	See attached report	Complete	0.0368	Qualifies for minimum allocation of 0.10	0.10
Sylvia Jeffrey 9/13/96	200-503-3-20	0.09 Acres A Residence 5	See attached report	Complete	0.0144	Qualifies for minimum allocation of 0.10	0.10
Philip Dubinsky 9/3/96 Complete 9/13/96	200-511-1-31	0.10 Acres A Residence 5	See attached report	Complete	0.016	Qualifies for minimum allocation of 0.10	0.10
Patricia Muller 9/6/96	200-511-5-78	1.08 Acres A Residence 5	See attached report	Complete	0.1728		0.17

Joseph Frost* 8/2/96 Complete 9/20/96	200-511-6-33	0.36 Acres A Residence 5	See attached report	Complete	0.0576	Qualifies for minimum allocation of 0.10	0.10
Joseph Frost* 8/2/96 Complete 9/20/96	200-511-6-35	0.36 Acres A Residence 5	See attached report	Complete	0.0576	Qualifies for minimum allocation of 0.10	0.10
Lillian Mercurio Catherine Parenti Anita Zupa 9/13/96	200-529-2-10	0.46 Acres A Residence 5	See attached report	Complete	0.0736	Qualifies for minimum allocation of 0.10	0.10
Lois Heisey 9/9/96	200-562-3-11	0.12 Acres A Residence 5	See attached report	Complete	0.0192	Qualifies for allocation of 1.0 PBC pursuant to §6.7.6.6	1.0
Jeanne Viguers 9/3/96	900-212-2-17	0.06 Acres Country Residence 200	See attached report	Complete	0.0108	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
Millicent Sommers 9/3/96	900-215.2-1-13	1.03 Country Residence 200	See attached report	Complete	0.1854	Uses Town of Southampton allocation formula	0.19
Vito DeGaetano 8/16/96	900-215.2-1-57	0.96 Acres Country Residence 200	See attached report	Complete	0.1728	Uses Town of Southampton allocation formula	0.17
William Swan 9/6/96	900-220-1-11	0.14 Acres Country Residence 200	See attached report	Complete	0.0252	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10

Joseph Techet 9/3/96 Complete 9/13/96	900-241-1-15	0.23 Acres Country Residence 200	See attached report	Complete	0.0414	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
James Steinway 8/23/96	900-274-2-13	0.23 Acres Country Residence 200	See attached report	Complete	0.0414	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
James McCabe 8/22/96	900-277-7-11	0.11 Acres Country Residence 200	See attached report	Complete	0.0198	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
James McCabe 8/22/96	900-279-2-19	0.18 Acres Country Residence 200	See attached report	Complete	0.0324	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
Rocco Ranaudo	900-305-1-1	0.08 Acres Country Residence 200	See attached report	Complete	0.0144	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
William Goddin 9/4/96	900-306-2-20	0.09 Country Residence 200	See attached report	Complete	0.0162	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10

Helene Kopp 9/3/96	900-306-2-71	0.23 Country Residence 200	See attached report	Complete	0.0414	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
Gaston Milliard 8/16/96	900-307-1-34	10.0 Acres Country Residence 200	See attached report	Complete	1.8	Database shows County ownership of parcel applicant claims has clean title; parcel is a overlap parcel	1.8
Robert Smith 8/26/96	900-307-2-53	0.05 Acres Country Residence 200	See attached report	Complete	0.009	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
James McCabe 8/23/96	900-333-2-18	0.14 Acres Country Residence 200	See attached report	Complete	0.0252	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
Richard Stremel 8/22/96	900-334-2-4	0.37 Acres Country Residence 200	See attached report	Complete	0.0666	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10
Frank Lee Berry C/o Russ Pitman 9/3/96	900-334-3-4	0.09 Acres Country Residence 200	See attached report	Complete	0.0162	Uses Town of Southampton allocation formula; Qualifies for minimum allocation of 0.10	0.10

M.J. Forte Enterprises 9/6/96	900-999-607- 9.1						Both Town of Southampton and Real Property Services are unable to locate parcel	0.0
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H:\WPWIN\DOCUMENT\PINEBARR\CLEARING\APPS\93096APP.WPD
October 11, 1996

AMENDED
SEQRA
NEGATIVE DECLARATION

NOTICE OF DETERMINATION OF NON-SIGNIFICANCE

LEAD AGENCY: The Planning Board of the Town of Brookhaven
3233 Route 112,
Medford, N.Y. 11763

TITLE OF ACTION
Map of Sarah Anne Court
@ Miller Place

APPLICANT
Lark Development Corp.
160 Hunters Run
Syosset, N.Y. 11791

SEQR STATUS: Type I

LOG#: 96-39 FS

DESCRIPTION OF ACTION:

Subdivide a 9.6 acre site into nine residential building lots with a 50,585 sq. foot recharge basin. The project will utilize two Pine Barrens Development Credits and each lot will be less than an acre, ranging between 35,580 square feet to 40,447 square feet. The applicant proposes to access the subject property from Indiana Avenue, a tap street from Tallmadge Trail to the west. Project was revised to illustrate additional yield from the use of Pine Barrens Development Credits.

LOCATION: 587 l.f. N/O Memorial Drive, W/S Helme Avenue, Miller Place

SUFFOLK COUNTY TAX #: SCTM#: 0200 119.00 03.00 019.001 &
0200 143.00 02.00 001.001

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law.

The lead agency has determined that the proposed action described below will not have a significant effect on the environment.

REASONS SUPPORTING THIS DETERMINATION:

The Division of Environmental Protection of the Town of Brookhaven, upon reviewing this application in accordance with SEQR Part 617.6 & 617.7, using the information available and comparing it with the thresholds set forth in section 617.4 & 617.5, has determined that this project is an Unlisted Action.

The site is located within the Central Suffolk Special Groundwater Protection Area (West). As per Article 8, Section 8-01094 of the New York State

PINE BARRENS CREDIT CLEARINGHOUSE

on behalf of the

SUFFOLK COUNTY WATER AUTHORITY

Offer to Purchase for Cash

Up to Two (2.00) Pine Barrens Credits

(Originating From Central Pine Barrens Core Area Land in the Town of Brookhaven)

At a Purchase Price Not Greater Than \$15,000.00 Nor Less Than \$7,200.00 Per Credit

**THE EXPIRATION DATE OF THE OFFER IS 5:00 P.M. NEW YORK CITY TIME, ON WEDNESDAY,
OCTOBER 30, 1996, UNLESS EXTENDED**

- Request for offer to sell PBCs -

The Pine Barrens Credit Clearinghouse (Clearinghouse) on behalf of the Suffolk County Water Authority (the "Water Authority"), invites owners of Pine Barrens Credits originating from Central Pine Barrens Core area land in the Town of Brookhaven to offer for sale Pine Barrens Credits originating from such land, at prices not greater than \$15,000.00 nor less than \$7,200.00 per Credit, upon the Terms and Conditions in this Offer and in the related Letter of Transmittal (which together constitute the "Offer"). If you want to offer your Credits for sale please read this document carefully. If after reading this document you still have questions, please feel free to contact the Clearinghouse at (516) 563-5692.

Offering your credits for sale does not guarantee their purchase. The Clearinghouse on behalf of the Water Authority will determine a single per Credit price (not greater than \$15,000.00 nor less than \$7,200.00 per Credit) (the "Purchase Price" as explained on page 4) that the Water Authority will pay for the Credits offered which will enable the Water Authority to purchase two (2.00) Credits at the Purchase Price, upon the Terms and Conditions of the Offer. Credits offered at prices in excess of the Purchase Price and Credits not purchased because of oversubscription, as explained below, will be promptly returned. Credit holders must complete the section of the Letter of Transmittal relating to the price at which they are offering their Credits for sale in order to offer Credits for sale validly.

Credits are offered for sale by delivering a properly executed Letter of Transmittal together with your Pine Barrens Credit Certificate(s) (or if offering Credits for sale pursuant to a Letter of Interpretation the documents described in Section 2 of the Terms and Conditions) to the Pine Barrens Credit Clearinghouse on or before the Expiration Date. The Clearinghouse serves as the depository for this Offer, responsible for receiving, categorizing, tabulating and accepting the offers to sell Credits for the Water Authority.

To be valid your offer to sell Credits must be received by 5:00 p.m., Wednesday, October 30, 1996.

TERMS AND CONDITIONS

1. Offering Credits for Sale

Any Credit holder desiring to offer all or any portion of his or her Credits for sale should complete and sign the Letter of Transmittal in accordance with the instructions in the Letter of Transmittal. The Credit holder should then mail or deliver it together with his/her Pine Barrens Credit Certificate to the Pine Barrens Credit Clearinghouse. Not more than \$15,000.00 or less than \$7,200.00 per Credit will be paid. If your offer to sell is in this range, your Credits qualify to be accepted for purchase if they are at or below the Purchase Price.

The Clearinghouse on behalf of the Water Authority shall only consider valid offers to sell Credits. All questions as to the form and validity (including time of receipt) of any offer to sell Credits or notice of withdrawal will be determined by the Clearinghouse.

2. Offering for sale Credits Pursuant to a Letter of Interpretation

If a Pine Barrens Credit Certificate has not been issued for your Credits, you may offer for sale your Credits by delivering a properly completed and duly executed Letter of Transmittal together with the following documents by 5:00 p.m. on or before the Expiration Date:

- (1) the original Letter(s) of Interpretation issued by the Pine Barrens Credit Clearinghouse for the Credits being offered for sale;
- (2) a properly completed Pine Barrens Credit Certificate Application for each parcel for which Credits are being offered for sale;
- (3) a properly completed, approved Conservation Easement covering the parcel(s) for which the Credits offered for sale were allocated (The Central Pine Barrens Commission has approved the form of the Conservation Easement enclosed. Other conservation easements must be separately approved by the Commission.);
- (4) a properly completed New York State Combined Real Property Transfer Gains Tax Affidavit (enclosed); and
- (5) a properly completed Real Property Transfer Report (enclosed).

These additional documents are necessary to ensure expedient processing and prompt payment for Credits offered for sale which are accepted for payment.

3. Withdrawing Offers to Sell Credits

Credits offered for sale may be withdrawn by offering parties by submitting written notice to the Clearinghouse that they seek to withdraw their offer and clearly identifying their offer. The

withdrawal may be submitted via facsimile to the Clearinghouse at (516) 277-4097. However, the Clearinghouse must receive all withdrawals by 5:00 p.m. on or before the Expiration Date. After the period for withdrawing Credits has lapsed all offers to sell Credits shall be deemed irrevocable and may not be withdrawn until 30 days after the Expiration Date, as Section 6 describes below.

4. Acceptance of Offers to Sell Credits, Acceptance for Payment and Payment of Purchase Price

As promptly as practicable after the Expiration Date, the Clearinghouse will determine and announce the Purchase Price, taking into account the number of Credits offered for sale and the prices specified by offering Credit holders. It will then (subject to the provisions for priority in the event of oversubscription) accept Credits validly offered at or below the Purchase Price. A single Purchase Price will be selected, which will not be greater than \$15,000.00 or less than \$7,200.00 per Credit. All Credits purchased will be purchased at the Purchase Price even if offered for sale below the Purchase Price. Acceptance of a offer to sell Credits occurs when the Clearinghouse gives written notice of its acceptance to the offering Credit holder.

Acceptance for payment occurs when the Certificate for the accepted offer is issued and delivered. For Credit holders offering their Credits by delivering their Credit certificates with their Letter of Transmittal, this occurs upon acceptance of the offer. The Clearinghouse will not accept for payment Credits offered for sale pursuant to a Letter of Interpretation until a title search has been performed for the Core Preservation Area property for which such Credits are allocated, the Conservation Easement is recorded, and the Credit certificate has been issued. The cost of title searches will be borne in accordance with the policies established by the Clearinghouse.

In the event a title search of the property for which such Letter of Interpretation was issued reveals a title condition which, in the sole discretion of the Clearinghouse, makes it undesirable or unadvisable to issue the Pine Barrens Credit certificate or which prevents the grantee of such Conservation Easement (Suffolk County or the Central Pine Barrens Commission), from accepting or recording the Conservation Easement, the Clearinghouse has no responsibility to resolve such condition and may refuse to accept for payment or purchase the Credits and reject the offer, whether or not written notice of acceptance has been given to the offering Credit holder.

The Clearinghouse will pay for Credits that it has accepted for payment on behalf of the Water Authority pursuant to the Offer by mailing a check to those offering Credit holders whose offers have been accepted for payment promptly after they are accepted for payment. The Clearinghouse will not make payment prior to delivery to the Clearinghouse of the requisite Pine Barrens Credit certificate or certificates by the Credit holder and a fully executed Real Property Transfer Gains Tax Affidavit and any other documents deemed necessary to transfer offered Credits. The Clearinghouse will not pay interest on amounts to be paid to the offering Credit holders, regardless of any delay in making such payment.

5. Acceptance of Offers in Case of Oversubscription

If more than two (2.00) Credits are offered for sale at or below the Purchase Price, the Offer

is oversubscribed. In the event of oversubscription, offers to sell totaling no more than two (2.00) Credits will be accepted. Credit certificates and Letters of Interpretation for other offers, including Pine Barrens Credit Certificate Applications, unrecorded Conservation Easements, and related documents will be promptly returned as described in Section 6 below.

The following rules will govern which offers at or below the Purchase Price will be accepted by the Clearinghouse on behalf of the Water Authority if the offer is oversubscribed:

(a) First preference will be given to those Credit holders of record who own beneficially an aggregate of fewer than one (1.00) Credit ("Fractional Holders") as of the Expiration Date and (i) who validly offer all of their Credits (partial offers will not qualify for this preference) at or below the Purchase Price, (ii) who have not withdrawn their offers as described in Section 3, and (iii) who complete the box captioned "Fractional Offers" on the Letter of Transmittal.

If there is an oversubscription of Credits properly offered by Fractional Holders at or below the Purchase Price, the Clearinghouse will select the Credits that it will purchase by random lot in a manner that will allow the purchase of up to two (2.00) Credits. The Clearinghouse may find that a selection would exceed the two (2.00) Credit purchase limit. In that event the Clearinghouse will purchase a fraction of an offer sufficient to result in the purchase of two (2.00) Credits, unless the Credit holder indicates that he/she will not sell such a fraction. In that case the Clearinghouse will reject that offer and proceed to make another selection by random lot.

(b) If accepted offers from Fractional Holders at or below the Purchase Price do not provide the Clearinghouse with the requisite two (2.00) Credits, the Clearinghouse will consider all other offers at or below the Purchase Price that satisfy the terms of this Offer. If acceptance of all offers at or below the Purchase Price is greater than two (2.00) Credits, the Clearinghouse will first purchase all Credits from Fractional Holders pursuant to subsection (a) above and then it will accept tenders or the fractional portion of selected offers that will result in the purchase of a total of two (2.00) Credits. In the event that the final selection would exceed the two (2.00) Credit limit, the Clearinghouse will purchase the appropriate fraction of the Credits offered unless the Credit Holder indicates that a fractional purchase of the Credits offered will not be accepted. In that case the Clearinghouse will reject that offer and proceed to make another selection by random lot.

In all cases the Clearinghouse shall have absolute discretion in the selection of offers to accept, and such discretion shall be used to assemble and accept two (2.00) Credits.

6. Return of Offers to Sell Credits Not Accepted and Withdrawing Offers After the Expiration Date

The Clearinghouse will return certificates for all Credits (or, in the case of Credits offered for sale pursuant to a Letter of Interpretation, such Letters of Interpretation together with the Pine Barrens Credit Certificate Applications, the unrecorded Conservation Easements and all other documents submitted to the Clearinghouse) for offers not accepted because they exceed the Purchase Price promptly after the announcement of the Purchase Price. Acceptance of offers to sell will be made within 30 days of the Expiration Date of the Offer. In the event acceptance of an offer to sell Credits is not made within said 30 days, Credit holders may withdraw their offer by delivering such withdrawal in writing to the Clearinghouse. The certificates (or, in the case of Credits offered for sale pursuant to a Letter of Interpretation, such Letters of Interpretation together with the Pine Barrens Credit Certificate Applications, the unrecorded Conservation Easements and all other documents submitted to the Clearinghouse) will be returned promptly after receipt of the written withdrawal.

7. Tax Consequences

The tax consequences of a sale pursuant to this Offer may vary depending upon the particular circumstances of the offering Credit holder. Credit holders are urged to consult their own tax advisors to determine the particular federal, state, local and foreign tax consequences of sales made by them pursuant to this Offer.

8. Withdrawal of the Offer

The Clearinghouse on behalf of the Water Authority is making this Offer to selected holders of Pine Barrens Credits originating from land in the Central Pine Barrens Core Preservation Area of the Town of Brookhaven. The Clearinghouse and the Water Authority are not aware of any state statute or judicial action prohibiting the making of the Offer. If the Clearinghouse or Water Authority becomes aware of any legal impediment, they will make a good faith effort to comply. If, after such good faith effort, they cannot comply with such impediment, the Clearinghouse will withdraw the Offer and will not accept any offers to sell Credits.

9. Extension of the Offer

The Water Authority in its sole discretion may authorize the Clearinghouse to extend this offer. If the Offer is extended a new Expiration Date will be established.

Dated: September 30, 1996

LETTER OF TRANSMITTAL
To Accompany Pine Barrens Credits
(Originating From Central Pine Barrens Core Area Land in the Town of Brookhaven)
Offered Pursuant to the Request for Offers to Sell Pine Barrens Credits
Dated September 30, 1996

on behalf of the
SUFFOLK COUNTY WATER AUTHORITY

To: Pine Barrens Credit Clearinghouse, *Depository*

THE OFFER AND WITHDRAWAL RIGHTS WILL EXPIRE AT 5:00 P.M., NEW YORK CITY TIME, ON WEDNESDAY, OCTOBER 30, 1996, UNLESS THE OFFER IS EXTENDED.

By Mail:

Pine Barrens Credit Clearinghouse
P.O. Box 587
Great River, NY 11739-0587

By Facsimile Transmission:

(516) 277-4097
To Confirm Receipt of Facsimile:
(516) 563-5692

By Hand or Overnight Courier:

3525 Sunrise Highway, 2nd Floor
Great River, New York 11739

DESCRIPTION OF CREDITS OFFERED				
Credits Offered (Attach additional lines if necessary)				Print Name(s) and Address(es) of Registered Holder(s) (please print in box below exactly as name(s) appear on the Pine Barrens Credit Certificate(s) or Letter(s) of Interpretation as appropriate)
Certificate Number (If offering an issued Certificate)	Suffolk County Tax Map Number on Letter of Interpretation (If offering Credits pursuant a Letter of Interpretation)	Total Number of Credits Represented by Certificates/ Letter of Interpretation	Number of Credits Offered*	
Total Credits:				

* Unless otherwise indicated, it will be assumed that all Credits represented by any Pine Barrens Credit Certificate/Letter of Interpretation delivered to the Depository are being offered for sale.

Delivery of this Letter of Transmittal to an address other than as set forth above or transmission of withdrawal instruction via a facsimile number other than the one listed above will not constitute a valid delivery.

PRICE (IN DOLLARS) PER CREDIT AT WHICH CREDITS ARE BEING OFFERED FOR SALE

***CHECK ONLY ONE BOX, IF MORE THAN ONE BOX IS CHECKED, OR
IF NO BOX IS CHECKED, THERE IS NO VALID OFFER TO SELL CREDITS.***

SHARES TENDERED AT PRICE INDICATED BY CREDIT HOLDER

- | | | | |
|-------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> \$7,200.00 | <input type="checkbox"/> \$9,000.00 | <input type="checkbox"/> \$11,000.00 | <input type="checkbox"/> \$13,000.00 |
| <input type="checkbox"/> \$7,500.00 | <input type="checkbox"/> \$9,500.00 | <input type="checkbox"/> \$11,500.00 | <input type="checkbox"/> \$13,500.00 |
| <input type="checkbox"/> \$8,000.00 | <input type="checkbox"/> \$10,000.00 | <input type="checkbox"/> \$12,000.00 | <input type="checkbox"/> \$14,000.00 |
| <input type="checkbox"/> \$8,500.00 | <input type="checkbox"/> \$10,500.00 | <input type="checkbox"/> \$12,500.00 | <input type="checkbox"/> \$14,500.00 |
| | | | <input type="checkbox"/> \$15,000.00 |

OFFERS TO SELL PINE BARRENS CREDITS BY HOLDERS OF FRACTIONAL CREDITS

This section is to be completed **ONLY** if Credits are being offered by or on behalf of a person owning beneficially an aggregate of fewer than one (1) Credit as of the close of business on September 30, 1996.

The undersigned either (check one box):

- ☐ was the beneficial owner of an aggregate of fewer than one (1) Credit as of the close of business on September 30, 1996, all of which is being offered, or
- ☐ was the holder of a valid Letter(s) of Interpretation issued by the Pine Barrens Credit Clearinghouse indicating entitlement to the beneficial ownership of an aggregate of fewer than one (1) Credit as of the close of business on September 30, 1996, all of which is being offered.

SIGNATURE

The offering Credit holder must sign this document to have a valid offer of Credits. This must match the name or names listed on either the Pine Barrens Credit Certificate and/or the Letter of Interpretation offered. The offering party certifies that he/she is the owner of the parcel or parcels of land for which the Credit(s) or the Letter(s) of Interpretation were issued. The offering party further certifies that he/she has not taken any actions which may affect the validity of the Credit(s) or Letter(s) of Interpretation.

Owner's Name

Co-Owner's Name

Date

Date

Capacity (full title) _____

Address _____

Telephone Number: (____) _____

This form must be notarized

STATE OF _____)

COUNTY OF _____)

Subscribed to and sworn before me this _____ day of _____, 19__.



SUFFOLK COUNTY WATER AUTHORITY

Michael A. LoGrande, Chairman
Matthew B. Kondenar, Secretary
Melvin M. Fritz, M.D., Member
James T.B. Tripp, Member
Eric J. Russo, Member

Administrative Offices: 4060 Sunrise Highway, Oakdale, NY 11769-0901
(516) 589-5200
Fax No.: (516) 563-0370

DRAFT

LETTER AGREEMENT BETWEEN THE SUFFOLK COUNTY WATER AUTHORITY AND THE PINE BARRENS CREDIT CLEARINGHOUSE

The Board of the Suffolk County Water Authority and the Board of Advisors of the Pine Barrens Credit Clearinghouse have agreed as follows:

1. The Water Authority wishes to purchase two Pine Barrens Credits (PBCs) so long as it can do so at a minimum price of \$7,200 and a maximum price of \$15,000 per credit. It has requested that the Clearinghouse assist it in purchasing two such credits through the mechanism of the "Dutch auction" within this price range.
2. The Clearinghouse has agreed to assist the Water Authority in this regard. It has prepared an Offer, Terms and Conditions and a Transmittal Letter, copies of which are attached, in order to assist the Water Authority in fulfilling its objective.
3. Both the Water Authority and the Clearinghouse have approved the Offer, the Terms and Conditions and the Transmittal letter.
4. The Water Authority agrees to hold in escrow \$30,000, the maximum amount that the Water Authority has agreed to pay for the two PBCs. The Water Authority will make payment to the Clearinghouse up to \$30,000 when the Clearinghouse has obtained two PBCs.
5. The Water Authority understands that, if no ^{offer}tender is made to sell credits at or below \$15,000 by the expiration date, the Clearinghouse will be unable to purchase the requested two credits under the Terms and Conditions of the proposed Offer.
6. During the period of time in which the Clearinghouse is seeking to purchase two credits in accordance with the Offer, the Water Authority will not seek to purchase those PBCs outside the scope of this Offer.

Dated: September ___, 1996

JAMES T.B. TRIPP, Chair
Pine Barrens Credit Clearinghouse
Board of Advisors

MICHAEL A. LoGRANDE, Chair and CEO
Suffolk County Water Authority

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number:
	200-294-4-25
Applicant Name	Darienne Oaks
Location/Access	North side of NY State Route 25, west of William Floyd Parkway Ridge, Town of Brookhaven. Parcel is accessible from an improved service road off of Route 25. Parcel is not on the core roadfront exemption list.
Hagstrom Map #	Map 19, K-23
Aerial #	Not available at this time.
Acreage	2.74 acres as per application.
Topography/Geologic Features	Relatively flat at approximately 90' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RhB (Riverhead and Haven soils 0-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	A2 Residence. Minimum lot area 80,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Ridge
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers:
	200-359-1-30
Applicant Name	Joseph Hirow
Location/Access	Just west of Town line, south of Nugent Drive, Riverhead, Town of Brookhaven. Parcel has access from unimproved, paper road (<i>3rd Avenue</i>).
Hagstrom Map #	Map 23, M-29
Aerial #	Not available at this time.
Acreage	.06 acre
Topography/Geologic Features	Steeper morainal slopes, approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	CpC (Carver and Plymouth sands, 3-15% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # R-57 is located to the southwest of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	None.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Riverhead
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number:
	200-464-1-1
Applicant Name	WWC Holding Corp.
Location/Access	North of Hot Water Street (open but unimproved) east of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, M27
Aerial #	Not available at this time.
Acreage	24.38 acres as per tax bill.
Topography/Geologic Features	Gently sloping on the edge of the moraine at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Sheet 58
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC Freshwater wetland maps, wetland number M-42 is located to the west of the subject parcel.
Vegetative Cover Type	Pitch pine - oak forest and pine barrens shrub swamp.
Rare and Endangered Species	Yes, associated with the above noted wetland, according to Natural Heritage data dated April 1995.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Comments	

Issue Date: 9/27/96

Item	Tax Map Numbers:
	200-502-1-12
Applicant Name	Hugo Ritucci
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from an open but unimproved, paper road.
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.23 acres as per tax bill.
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdB (Riverhead sandy loam, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the south and east of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site, associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers:
	200-502-2-1
Applicant Name	Angela Cotroneo
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from an open but unimproved, paper road.
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.23 acres as per tax bill
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	HaA (Haven loam 0-2% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the south and east of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site, associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers:
	200-503-2-26
Applicant Name	James McCabe
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from an unimproved, paper road.
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.23 acres respectively
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	HaA (Haven loam 0-2% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the south and east of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site, associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers:
	200-503-3-20
Applicant Name	Sylvia & Henrietta Jeffrey
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from an open but unimproved, paper road.
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.09 acres respectively
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	HaA (Haven loam 0-2% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the south and west of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site, associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	200-511-1-31
Applicant Name	Philip Dubinsky
Location/Access	West of Pollistena Blvd., a paper road that is opened however not improved and north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	.10 acre
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	Vacant.
Zoning	A5 Residence
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	200-511-5-78
Applicant Name	Patricia Muller
Location/Access	West of Calhoun Road, an unimproved paper road north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	1.08 acre
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	Vacant.
Zoning	A5 Residence
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	200-511-6-33 & 35
Applicant Name	Jospeh Frost
Location/Access	South of 12th Street, an unimproved paper road and north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	.5 acre each (adjacent) Lots are 100' x 200' or 20,000 square feet as per tax map and application
Topography/Geologic Features	Rolling, morainal toppgraphy, approximately 200' above mean sea level.
Soils (<i>SC Soil Survey</i>)	HaA (Haven loam 0-2% 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	Vacant.
Zoning	A5 Residence
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers:
	200-529-2-10
Applicant Name	Lillian Mercurio, Catherine Parenti. Anita Zupa
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from a partially open, however unimproved, paper road (<i>Oxford Avenue</i>).
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.46 acre
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdB (Riverhead sandy loam, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the southeast of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers:
	200-562-3-11
Applicant Name	Lois Heisey
Location/Access	North of CR 111, west of Toppings Path, Manorville, Town of Brookhaven. Parcel has frontage on CR111, an improved road.
Hagstrom Map #	Map 19, N-27
Aerial #	Not available at this time.
Acreage	.12 acre
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	HaA (Haven loam, 0-2% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak/Heath Woodland.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Eastport
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers:
	900-212-2-17
Applicant Name	Jeanne Viguers
Location/Access	Old filed map south of Suffolk County Community College, west of Speonk-Riverhead Road, Speonk, Town of Southampton. Parcels are accessible from an unimproved paper road (<i>Sanman Avenue</i>).
Hagstrom Map #	Map 23, N-29
Aerial #	Not available at this time.
Acreage	.06 acre.
Topography/Geologic Features	Gently sloping in a southerly direction, approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdA (Riverhead sandy loam 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak Forest
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Speonk-Remsenburg
Public Water	No
Public Sewer	No
Fire/Police District	Eastport
Comments	The overlay condition that exists on a portion of this tax map section is not in the vicinity of this parcel.

CREDIT APPLICATION STAFF REPORT

Issue Date: 2/27/96

Item	Tax Map Numbers:
	900-215.02-1-13
Applicant Name	Millicent Sommers
Location/Access	North of Sunrise Highway, west of Summit Blvd., near Hampton Hills, Town of Southampton. Property has access from Linden St., a paper road. Summit Blvd. in this vicinity is cleared, however not improved.
Hagstrom Map #	Map 23, N-30
Aerial #	Not available at this time.
Acreage	1.03 acres.
Topography/Geologic Features	Moderately steep, morainal slopes, approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pitch pine-scrub oak barrens in the vicinity.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers: 900-215.02-1-57
Applicant Name	Vito S. DeGaetano
Location/Access	North of Sunrise Highway, east of Summit Blvd., Property has access from Laurel St., a paper road. Summit Blvd. in this vicinity is cleared, however not improved. This old filed map is located south of Hampton Hill Golf Club.
Hagstrom Map #	Map 23, N-30
Aerial #	Not available at this time.
Acreage	.96 acres.
Topography/Geologic Features	Moderately steep, morainal slopes, approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - scrub oak barrens as per Town of Southampton WGEIS.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 7/9/96

Item	Tax Map Number: 900-220-1-11
Applicant Name	William Swan
Location/Access	North of Sunrise Highway, east of CR 104 and Lewis Road, East Quogue, Town of Southampton. Property is presently landlocked as the construction of Sunrise Highway separated this portion of the old filed map from the southern part.
Hagstrom Map #	Map 23, O-30
Aerial #	Not available at this time.
Acreage	.14 acre
Topography/Geologic Features	Steep morainal slopes approximately 200' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Generally CpC (Carver and Plymouth sands 3-15%) and CpE (Carver and Plymouth sands 8-15%) (<i>as per sheet 60 Suffolk County Soil Survey</i>)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None as per NYS DEC freshwater wetland maps.
Vegetative Cover Type	Pitch pine - oak forest as per Town of Southampton WGEIS.
Rare and Endangered Species	Not available at this time
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	East Quogue
Public Water	No
Public Sewer	No
Fire/Police District	East Quogue
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers:
	900-241-1-15
Applicant Name	Joseph Techet
Location/Access	North of Sunrise Highway, west of Summit Blvd., and open but unimproved road, Westhampton, Town of Southampton. Property has access from an unimproved paper road (<i>Hazel Avenue</i>).
Hagstrom Map #	Map 23, O-30
Aerial #	Not available at this time.
Acreage	.23 acres
Topography/Geologic Features	Rolling morainal slopes, approximately 120' above mean sea level. Southwesterly flowing drainage swales in the vicinity of this area.
Soils (<i>SC Soil Survey</i>)	Generally CpA (Carver and Plymouth sands, 0-3% slopes) with CpC (Carver and Plymouth sands 3-15% in the swales)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None as per NYS DEC maps.
Vegetative Cover Type	Pitch pine-oak forest as per Town of Southampton WGEIS
Rare and Endangered Species	Not known at this time.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-274-2-13
Applicant Name	James Steinway
Location/Access	North of Sunrise Highway, approximately 3,100' west of Speonk-Riverhead Road, Speonk, Town of Southampton. Parcel fronts on and takes access from Cedar Place, an unimproved paper road.
Hagstrom Map #	Map 23, O-29
Aerial #	Not available at this time.
Acreage	.23 acre.
Topography/Geologic Features	Relatively flat, approximately 60' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdA (Riverhead sandy loam, 0-3% slopes) and RdB (Riverhead sandy loam 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None
Vegetative Cover Type	Pitch pine - oak forest as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not known at this time.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Speonk-Remsenburg
Public Water	No
Public Sewer	No
Fire/Police District	Eastport
Comments	Suffolk County owns a majority of the lots in this old filed map. There are some trails cut throughout this area, however the pattern does not seem to follow the paper road network.

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-277-7-11
Applicant Name	James McCabe
Location/Access	South of Sunrise Highway, east of Speonk-Riverhead Road, Westhampton, Town of Southampton. Property has access from an unimproved paper road (<i>South Bay Avenue</i>).
Hagstrom Map #	Map 23, O-30
Aerial #	Not available at this time.
Acreage	.11 acre as per tax bill.
Topography/Geologic Features	Relatively flat approximately 60' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Generally CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None as per NYS DEC maps.
Vegetative Cover Type	Pitch pine-oak forest as per Town of Southampton WGEIS
Rare and Endangered Species	Not known at this time.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-279-2-19
Applicant Name	James McCabe
Location/Access	South of Sunrise Highway, west side of Summit Blvd., an open but unimproved road, Westhampton, Town of Southampton.
Hagstrom Map #	Map 23, O-30
Aerial #	Not available at this time.
Acreage	.18 acre as per tax bill.
Topography/Geologic Features	Relatively flat approximately 60' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Generally CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None as per NYS DEC maps.
Vegetative Cover Type	Pitch pine-scrub oak barrens as per Town of Southampton WGEIS
Rare and Endangered Species	Not known at this time.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 2/27/96

Revised: 9/30/96

Item	Tax Map Numbers:
	900-305-1-1
Applicant Name	Rocco Ranaudo
Location/Access	North of Old Country Road, east of Speonk-Riverhead Road, Westhampton, Town of Southampton. Parcel has access from unimproved paper road.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.08 acres total.
Topography/Geologic Features	The site sits approximately 80' above mean sea level. In the vicinity, drainage is in a southeasterly direction which contributes to glacial swales that drain towards the southerly creeks.
Soils (<i>SC Soil Survey</i>)	Predominantly CpA (Carver and Plymouth sands, 0-3% slopes), CpC (Carver and Plymouth sands, 3-15% slopes) and PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak/Heath Woodland and Pitch Pine-Scrub Oak Barrens in swale areas as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-306-2-20
Applicant Name	William & Anita Goldin
Location/Access	North of Old Country Road, west of Summit Blvd., Westhampton, Town of Southampton. Parcel has access from Summit Blvd. which is open however unimproved and Greenbrier Avenue.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.09 acre as per data base.
Topography/Geologic Features	The site sits approximately 80' above mean sea level. In the vicinity, drainage is in a southeasterly direction which contributes to glacial swales that drain towards the southerly creeks.
Soils (<i>SC Soil Survey</i>)	Predominantly PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak forest and Pitch Pine-Scrub Oak Barrens in swale areas as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-306-2-71
Applicant Name	Helene Kopp
Location/Access	North of Old Country Road, east of Summit Blvd., Westhampton, Town of Southampton. Parcel has access from Summit Blvd. which is open however unimproved.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.23 acres.
Topography/Geologic Features	The site sits approximately 80' above mean sea level. In the vicinity, drainage is in a southeasterly direction which contributes to glacial swales that drain towards the southerly creeks.
Soils (<i>SC Soil Survey</i>)	Predominantly PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak forest and Pitch Pine-Scrub Oak Barrens in swale areas as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-307-1-34
Applicant Name	Gaston Millard
Location/Access	North of Old Country Road, west of Summit Blvd., Westhampton, Town of Southampton. Parcel has access unimproved, paper road (<i>South Bay Road</i>)
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	10.0 acres as per overlay map.
Topography/Geologic Features	The site sits approximately 50' above mean sea level. In the vicinity, drainage is in a southeasterly direction which contributes to glacial swales that drain towards the southerly creeks.
Soils (<i>SC Soil Survey</i>)	Predominantly PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak forest and Pitch Pine-Scrub Oak Barrens in swale areas as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	An overlay exists in this section which affects the subject parcel. Verify title prior to issuing credits.

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-307-2-53
Applicant Name	Robert Smith
Location/Access	North of Old Country Road, east of Summit Blvd., Westhampton, Town of Southampton. Parcel has access unimproved, paper road (<i>Bryan Avenue</i>)
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.05 acre.
Topography/Geologic Features	The site sits approximately 50' above mean sea level. In the vicinity, drainage is in a southeasterly direction which contributes to glacial swales that drain towards the southerly creeks.
Soils (<i>SC Soil Survey</i>)	Predominantly PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak forest and Pitch Pine-Scrub Oak Barrens in swale areas as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-333-2-18
Applicant Name	James McCabe
Location/Access	South and west of Hamilton Street, (<i>air base housing</i>) north of LIRR, Westhampton, Town of Southampton. Parcel has access from Shelbourne Avenue, an unimproved paper road within an old filed map.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.14 acres
Topography/Geologic Features	Generally flat, approximately 50' above mean sea level with steeper slopes associated with glacial swales draining southerly towards Beaverdam Pond.
Soils (<i>SC Soil Survey</i>)	CpA(Carver Plymouth sands 0-3% slopes) and CpE (Carver Plymouth sands 15-35%) associated with the above noted swale areas.
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest as per Town of Southampton WGEIS.
Rare and Endangered Species	Not available at this time.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	CR200 Residence (200,000 square feet minimum)
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-334-2-4
Applicant Name	Richard Stremel
Location/Access	South and west of Hamilton Street, (<i>air base housing</i>) north of LIRR, Westhampton, Town of Southampton. Parcel has access from Shelbourne Avenue, an unimproved paper road within an old filed map.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.37 acres
Topography/Geologic Features	Generally flat, approximately 50' above mean sea level with steeper slopes associated with glacial swales draining southerly towards Beaverdam Pond.
Soils (<i>SC Soil Survey</i>)	CpA(Carver Plymouth sands 0-3% slopes) and CpE (Carver Plymouth sands 15-35%) associated with the above noted swale areas.
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest as per Town of Southampton WGEIS.
Rare and Endangered Species	Not available at this time.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	CR200 Residence (200,000 square feet minimum)
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Number
	900-334-3-4
Applicant Name	Frank Barry
Location/Access	South of Hamilton Street, (<i>air base housing</i>) north of LIRR, Westhampton, Town of Southampton. Parcel has access from Polk Street, an unimproved paper road within an old filed map.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.09 acres
Topography/Geologic Features	Generally flat, approximately 50' above mean sea level with steeper slopes associated with glacial swales draining southerly towards Beaverdam Pond.
Soils (<i>SC Soil Survey</i>)	CpA(Carver Plymouth sands 0-3% slopes) and CpE (Carver Plymouth sands 15-35%) associated with the above noted swale areas.
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest as per Town of Southampton WGEIS.
Rare and Endangered Species	Not available at this time.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	CR200 Residence (200,000 square feet minimum)
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Other	

Meeting For: PBC Clearing House
Location: Commission Office
Great River
Date /Time: 9/30/96 3:00pm

[illegible]

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T. B. TRIPP, ESQ., *CHAIRMAN*
ALLAN GRECCO, ESQ., *VICE CHAIRMAN*
ANDREW P. FRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Clearinghouse Agenda (FINAL) for October 29, 1996 5:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of September 30, 1996 Clearinghouse meeting minutes
- County Treasurer's Report

2. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretation

- Summary of Clearinghouse applications
- Issuance of Letters based on staff reports

B. Pine Barrens Credit Certificates

3. Meeting Schedule

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., CHAIRMAN
ALLAN D. GRECCO, ESQ., VICE CHAIRMAN
ANDREW P. FRELENG, A.I.C.P., MEMBER
JOHN F. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for October 29, 1996 (FINAL) Central Pine Barrens Joint Planning and Policy Commission Office Great River, New York 5:00 p.m.

***Present:** Board members included Mr. Tripp (representing Brookhaven), Mr. Grecco (representing Suffolk County) Mr. Freleng (representing Southampton) and Mr. Pally (representing New York State). Also in attendance were Ms. Roth, General Counsel to the Commission and Ray Corwin, Executive Director to the Commission. Staff members Ms. Trezza, Mr. Hopkins, Mr. Milazzo, and Ms. Plunkett. Additional attendees are shown on the attached sign-in sheet.*

The meeting was called to order by Mr. Tripp at 5:10 p.m.

1. Administrative

- Public Comment period
At this time there were no public comments.
- Adoption of September 30, 1996 Pine Barrens Credit Clearinghouse meeting summary

A motion was made by Mr. Freleng and seconded by Mr. Pally to adopt the meeting summary of September 30, 1996. The motion was approved unanimously.

- Capitalization Funds Update and Comments of John Cochrane, Suffolk County Treasurer
***Summary:** Christina Cooke handed out and reviewed the financial report for the month of September 1996. The total closing balance for the month of September '96 was \$5,121,914.74. The Clearinghouse members discussed whether or not to roll over the \$1.5 million CD coming due in March '97 to have some funds liquid for purchase of Pine Barrens Credits. It was decided that it should be rolled over unless the Clearinghouse members instruct the Treasurer's Office differently*

2. PBC Clearinghouse Applications

- Summary of Clearinghouse Applications
Summary: Staff gave a brief overview of the complete applications for Letters of Interpretation received by the Clearinghouse to date. Staff reports and work sheets for the applications were distributed to Clearinghouse members.

A motion was made by Mr. Tripp and seconded by Mr. Grecco to approve the allocations for the following applications (see chart) . The motion was carried unanimously.

Staff discussed the U.S. Colium Corporation Letters of Interpretation applications. The principals of the corporation had previously applied for and received 4 Letters of Interpretation with a total allocation of 0.55 PBCs. The applicants then applied for Pine Barrens Credit Certificates. The informal search revealed the deeds were recorded in the name of U.S. Colium Corporation. U.S. Colium Corporation has applied for Letters. Since the time that the Letters were issued to Mr. Rabinowitz, the Town of Southampton revised its development yield factors to conform to the Plan's.

Application of the new Town development yield factor would have resulted in allocating slightly fewer PBCs to the parcel. (0.50 as opposed to 0.55 PBCs). The clearinghouse elected to allocate to the U.S. Colium Corporation the same number of PBCs as were allocated to Mr. Rabinowitz.

- Pine Barrens Credit Certificates

***Summary:** Joseph Gazza has applied for a Pine Barrens Credit Certificate in the amount of 0.4 Pine Barrens Credits. This is the number of PBCs allocated to tax map parcels 900-280-2-52;53;55 and 900-334-2-52. Mr. Gazza reviewed the preapproved easement and objected to the language in the easement which stated "to cross other lands retained by the Grantor." Staff forwarded a revised easement to Mr. Gazza with the subject language replaced with "to cross adjacent or contiguous land retained by the Grantor." Mr. Gazza objected again to this language by forwarding a revised easement to the Clearinghouse with the revised text struck out. The Clearinghouse debated whether such language provided parties with third party enforcement rights the ability to monitor to ensure the easement's terms are being upheld. Since the parcels are all old filed maps with roads plotted, the Clearinghouse decided the easement as revised was acceptable and that third party enforcers could ensure compliance with the easement.*

A motion was made by Mr. Freleng and seconded by Mr. Grecco to forward the Gazza Conservation Easement as modified to the Commission for acceptance. The easement is to be recorded and a Pine Barrens Credit Certificate will be issued upon proof of proper recording with the County Clerk. The motion was carried unanimously.

A motion was made by Mr. Tripp and seconded by Mr. Pally to authorize Mr. Grecco to sign the Gazza Credit Certificate. The motion was carried unanimously.

- Newsday Article (not on agenda)

***Summary:** Mr. Milazzo distributed a Newsday article for discussion by the Clearinghouse Board members. The article addressed the shortage of lots which have all of the municipal approvals for development but have yet to be developed. The article chronicled that fewer areas remained on Long Island that could be readily subdivided. Staff suggested that the Pine Barrens Credit Program could help address this shortage because the redemption of PBCs can result from a subdivision of a parcel. It was concluded that a Letter to The Editor should be written to publicize the program's benefits. Mr. Milazzo distributed a draft letter for Clearinghouse approval.*

A motion was made by Mr. Pally and seconded by Mr. Freleng granting authorization to the Chairman and Co-Chairman of the Pine Barrens Credit Program Board of Advisors to sign the Pine Barrens Credit Certificates upon proof of recording of the requisite Conservation Easements. The motion was carried unanimously.

A motion was made by Mr. Tripp and seconded by Mr. Freleng to authorize the Chairman and Co-Chairman of the Pine Barrens Credit Program Board of Advisors to sign Pine Barrens Credit Certificates for the Ruby and Abramson applications. The motion was carried unanimously.

4. Meeting Schedule

***Summary:** The next Clearinghouse meeting will be on November 26, 1996 at 4:00 p.m. in the Commission Office in Great River.*

- Public Comment period

***Summary:** Henry Dittmer, property owner, stated for the record that no public funds are to be used to support the State Bond Act.*

A motion was made by Mr. Freleng and seconded by Mr. Pally to enter executive session. The motion was carried unanimously.

TRUST & AGENCY - PINE BARRENS
MONTHLY ACTIVITY REPORT
PERIOD ENDING 9/30/96

		<u>ACTIVITY</u>	<u>CLOSING BALANCE</u>
MONEY MARKET ACCOUNT			
<u>NORTH FORK (662400-525-9)</u>			
OPENING BALANCE			93,701.17
<u>ACTIVITY</u>	<u>DATE</u>		
RECEIPTS			
NOTE A		27,982.49	
		0.00	
		0.00	
		0.00	
		0.00	
		<hr/>	
			27,982.49
DISBURSEMENTS			
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	
		<hr/>	
			0.00
INTEREST			<hr/> 231.08
CLOSING BALANCE - MONEY MARKET			121,914.74
 <u>CERTIFICATES OF DEPOSIT</u>			
OPENING BALANCE			5,000,000.00
<u>ACTIVITY</u>	<u>DATE</u>		
RECEIPTS			
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	
		<hr/>	
			0.00
DISBURSEMENTS			
NOTE A		(27,982.49)	
		0.00	
		0.00	
		0.00	
		0.00	
		<hr/>	
			(27,982.49)
INTEREST			<hr/> 27,982.49
CLOSING BALANCE - CERTIFICATES OF DEPOSIT			<hr/>5,000,000.00
TOTAL CLOSING BALANCE - TRUST & AGENCY PINE BARRENS			<hr/><hr/>5,121,914.74

**NOTE A: CD INTEREST IS TRANSFERRED TO THE MONEY
MARKET ACCOUNT UPON RECEIPT**

NOTES:

**THE MONEY MARKET INTEREST RATE FOR THE MONTH
OF SEPTEMBER WAS 2.5%**

**AS OF 9/30/96 WE HAVE INVESTED 5.0 M IN THE
FOLLOWING CD'S**

BANK	RATE	MATURITY DATE	AMOUNT
NORTHFORK	5.33%	10/1/96	1.0M
NORTHFORK	5.40%	11/4/96	1.5M
NORTHFORK	5.40%	12/9/96	1.0M
NORTHFORK	5.32%	1/14/97	1.5M
TOTAL			5.0M

Complete Letter of Interpretations Applications
10/29/96

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Size in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Ralph & Marjorie Gorga 2728 Gingerview Lane Annapolis, MD 21401	200-301-2-40	0.12 Acres A2 Residence	See attached report	Complete	0.048	Qualifies for minimum allocation of 0.10	0.10
Rodick Construction Company Inc. P.O. Box 494 Miller Place, NY 11764	200-327-4-37	0.48 Acres A1 Residence	See attached report	Complete	0.384		0.38
Frank Bonfiglio c/o Michael Strauss 220 E. Main Street Pt. Jefferson, NY 11777	200-382-2-6	1.74 Acres A1 Residence	See attached report	Complete	1.392		1.39
George & Lenore Weidner c/o Michael Strauss 220 E. Main Street Pt. Jefferson, NY 11777	200-382-2-9	1.0 Acre (survey) A1 Residence	See attached report	Complete	0.8		0.8
Raymond & Carmella Vomero 211 Frost Street Brooklyn, NY 11211	200-511-5-18	0.46 Acres A5 Residence	See attached report	Complete	0.0736	Qualifies for minimum allocation of 0.10	0.10
Raymond & Carmella Vomero 211 Frost Street Brooklyn, NY 11211	200-511-5-24	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10	0.10

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Size in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Raymond & Carmella Vomero 211 Frost Street Brooklyn, NY 11211	200-511-5-53	1.83 Acres A5 Residence	See attached report	Complete	0.2928		0.29
Raymond & Carmella Vomero 211 Frost Street Brooklyn, NY 11211	200-511-5-84	2.75 Acres A5 Residence	See attached report	Complete	0.44		0.44
Jane Massey c/o Thomas Massey 5 Gleneagles Drive Lebanon, NJ 08833	200-529-4-8	0.14 Acres A5 Residence	See attached report	Complete	0.0224	Qualifies for minimum allocation of 0.10	0.10
Jane Massey c/o Thomas Massey 5 Gleneagles Drive Lebanon, NJ 08833	200-529-4-9	0.09 Acres A5 Residence	See attached report	Complete	0.0144	Qualifies for minimum allocation of 0.10	0.10
U.S. Colium Corp. c/o A. Rabinowitz 20 E. Main Street Waterbury, CT 06702	900-195.2-2-3	0.72 Acres Country Residence 200	See attached report	Complete	0.1152		0.12
U.S. Colium Corp. c/o A. Rabinowitz 20 E. Main Street Waterbury, CT 06702	900-195.2-4	0.91 Acres Country Residence 200	See attached report	Complete	0.1456		0.15
U.S. Colium Corp. c/o A. Rabinowitz 20 E. Main Street Waterbury, CT 06702	900-195.2-2-6	0.72 Acres Country Residence 200	See attached report	Complete	0.1152		0.12

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Size in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
U.S. Colium Corp. c/o A. Rabinowitz 20 E. Main Street Waterbury, CT 06702	900-195.2-2-7	0.71 Acres Country Residence 200	See attached report	Complete	0.1136		0.11
Eugene J. Schreck 8131 Sugarbush Drive Spring Hill, FL 34606	900-215.3-1-53	1.29 Acres Country Residence 200	See attached report	Complete	0.2064		0.21
Eugene J. Schreck 8131 Sugarbush Drive Spring Hill, FL 34606	900-215.3-1-63	1.29 Acres Country Residence 200	See attached report	Complete	0.2064		0.21
Myron J. Biggar P.O. Box 239 Nazareth, PA 18064	900-280-2-33	0.09 Acres Country Residence 200	See attached report	Complete	0.0144	Qualifies for minimum allocation of 0.10	0.10
George F. Roeling, et al c/o John M. Cannizaro First Nat'l Bank of Commerce Trust Department P.O. Box 60279 New Orleans, LA 70160	900-307-2-24	0.23 Acres Country Residence 200	See attached report	Complete	0.0368	Qualifies for minimum allocation of 0.10	0.10
Carl W. Kloefer P.O. Box 1010 Lafayette, IN 47902	900-307-2-34	0.23 Acres Country Residence 200	See attached report	Complete	0.0368	Qualifies for minimum allocation of 0.10	0.10

<i>Applicant(s)</i>	<i>SCTM #/ Location</i>	<i>Site in Acres/ Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Harvey L. Ramsey 1750 Jackson Blvd. Pecos, TX 79772	900-333-3-13	0.09 Acres Country Residence 200	See attached report	Complete	0.0144	Qualifies for minimum allocation of 0.10	0.10
Harvey L. Ramsey 1750 Jackson Blvd. Pecos, TX 79772	900-334-1-13	0.11 Acres Country Residence 200	See attached report	Complete	0.0176	Qualifies for minimum allocation of 0.10	0.10

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October 28, 1996

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/25/96

Item	Tax Map Numbers:
	200-301-2-40
Applicant Name	Ralph & Marjorie Gorga
Location/Access	Just west of Town line, south of Nugent Drive, Riverhead, Town of Brookhaven. Parcel has access from unimproved, paper road (<i>2nd Avenue</i>).
Hagstrom Map #	Map 23, M-29
Aerial #	Not available at this time.
Acreage	.12 acre
Topography/Geologic Features	Steeper morainal slopes, approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	CpC (Carver and Plymouth sands, 3-15% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # R-57 is located to the southwest of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	None.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A2 Residence. Minimum lot area 80,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Riverhead
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/25/96

Field Visit: 10/16/96

Item	Tax Map Numbers:
	200-327-4-37
Applicant Name	Rodick Construction Company Inc.
Location/Access	Southeast corner of Elizabeth Way and Pleasant Way (<i>both roads open but unimproved in this vicinity</i>), south of NYS Route 25, Ridge, Town of Brookhaven. The SC Pine Barrens Trail (abandoned CR 111) also runs along to the immediate north of this parcel.
Hagstrom Map #	Map 19, K-24
Aerial #	Not available at this time.
Acreage	..48 acre
Topography/Geologic Features	Relatively flat, approximately 80' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdA (Riverhead sandy loam, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest.
Rare and Endangered Species	None.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A1 Residence. Minimum lot area 40,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Ridge
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/25/96

Field Visit: 10/16/97

Item	Tax Map Numbers:
	200-382-2-6
Applicant Name	Frank Bonfiglio
Location/Access	Southwest corner of Crystal Brook Road and Big Pine Road, <i>(neither road open)</i> , south of NYS Route 25, west of William Floyd Parkway, Ridge, Town of Brookhaven.
Hagstrom Map #	Map 16, K-22
Aerial #	Not available at this time.
Acreage	1.74 acres
Topography/Geologic Features	Generally flat, approximately 60' above mean sea level.
Soils (<i>SC Soil Survey</i>)	PiB(Plymouth loamy sand, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # R-5 is located on and adjacent to the site. This area is the headwaters to the Peconic River.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	None as per Natural Heritage maps dated April 6, 1995. .
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A1 Residence. Minimum lot area 40,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Ridge
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/25/96

Field Visit: 10/16/97

Item	Tax Map Numbers:
	200-382-2-9
Applicant Name	George & Lenore Weidner
Location/Access	South side of Big Pine Road, (<i>not open in this vicinity</i>), south of NYS Route 25, west of William Floyd Parkway, Ridge, Town of Brookhaven.
Hagstrom Map #	Map 16, K-22
Aerial #	Not available at this time.
Acreage	1 acre as per tax bill.
Topography/Geologic Features	Generally flat, approximately 60' above mean sea level.
Soils (<i>SC Soil Survey</i>)	PiB(Plymouth loamy sand, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # R-5 is located on and adjacent to the site. This area is the headwaters to the Peconic River.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	None as per Natural Heritage maps dated April 6, 1995. .
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A1 Residence. Minimum lot area 40,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Ridge
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/25/96

Item	Tax Map Number
	200-511-5-18, 24 (<i>adjacent</i>)
Applicant Name	Raymond & Carmella Vomero
Location/Access	East of Calhoun Avenue, an unimproved paper road north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	.46 & .37 acre each.
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	Vacant.
Zoning	A5 Residence
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/25/96

Item	Tax Map Number
	200-511-5-53
Applicant Name	Raymond & Carmella Vomero
Location/Access	West side of Webster Avenue, an unimproved paper road north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	1.83 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	Vacant.
Zoning	A5 Residence
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/25/96

Item	Tax Map Number
	200-511-5-84
Applicant Name	Raymond & Carmella Vomero
Location/Access	West side of Webster Avenue, an unimproved paper road north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	2.75 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	Vacant.
Zoning	A5 Residence
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Other	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers: 200-529-4-8 & 9
Applicant Name	Jane Massey
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from an unimproved, paper road.
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.14 and .09 acres.
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdB (Riverhead sandy loam, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the east of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 9/27/96

Item	Tax Map Numbers: 200-529-4-8 & 9
Applicant Name	Jane Massey
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from an unimproved, paper road.
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.14 and .09 acres.
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdB (Riverhead sandy loam, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the east of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 2/27/96

Item	Tax Map Numbers:
	900-195.02-2-3, 4, 6, 7
Applicant Name	Arthur Rabinowitz
Location/Access	South of CR 104, north of Sunrise Highway between exits 63 and 64, Oakville, Town of Southampton. Parcel 3 has frontage on Old Quogue Road, which is opened but not improved. The other lots have access from unimproved paper streets.
Hagstrom Map #	Map 23, O-32
Aerial #	Not available at this time.
Acreage	.72, .91, .72 and .71 respectively, 3.06 acres total
Topography/Geologic Features	Relatively flat, approximately 100' above mean sea level.
Soils (SC Soil Survey)	CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak/Heath Woodland.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Flanders
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/27/96

Item	Tax Map Numbers:
	900-215.03-1-53, 63 (<i>across paper road</i>)
Applicant Name	Eugene J. Schreck
Location/Access	North of Sunrise Highway, west of Summit Blvd., Property has access Inwood Street, a paper road. Summit Blvd. in this vicinity is cleared, however not improved. This old filed map is located south of Hampton Hills Golf Club.
Hagstrom Map #	Map 23, N-30
Aerial #	Not available at this time.
Acreage	1.29 acres each.
Topography/Geologic Features	Moderately steep, morainal slopes, approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - scrub oak barrens as per Town of Southampton WGEIS.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/26/96

Item	Tax Map Number
	900-280-2-33
Applicant Name	Myron J. Biggar
Location/Access	North of Old Country Road, west of Summit Blvd., fronting on Vernon Avenue, an unimproved paper road, Westhampton, Town of Southampton. <i>Summit Blvd. is open but unimproved.</i>
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.09 acre
Topography/Geologic Features	The site sits approximately 50' above mean sea level. In the vicinity, drainage is in a southeasterly direction which contributes to glacial swales that drain towards the southerly creeks.
Soils (<i>SC Soil Survey</i>)	Predominantly PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak forest and Pitch Pine-Scrub Oak Barrens in swale areas as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/26/96

Item	Tax Map Number
	900-307-2-24
Applicant Name	George F. Roeling et al
Location/Access	North of Old Country Road, west of Summit Blvd., Westhampton, Town of Southampton. Parcel has access unimproved, paper road (<i>Beere Ave.</i>)
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.23 acre
Topography/Geologic Features	The site sits approximately 50' above mean sea level. In the vicinity, drainage is in a southeasterly direction which contributes to glacial swales that drain towards the southerly creeks.
Soils (<i>SC Soil Survey</i>)	Predominantly PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak forest and Pitch Pine-Scrub Oak Barrens in swale areas as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/26/96

Item	Tax Map Number
	900-307-2-34
Applicant Name	Carl W. Kloepper
Location/Access	North of Old Country Road, east of Summit Blvd., at the corner of Fain Avenue, Westhampton, Town of Southampton. <i>Summit Blvd. is open but unimproved.</i>
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.23 acre
Topography/Geologic Features	The site sits approximately 50' above mean sea level. In the vicinity, drainage is in a southeasterly direction which contributes to glacial swales that drain towards the southerly creeks.
Soils (<i>SC Soil Survey</i>)	Predominantly PiA (Plymouth loamy sand, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak forest and Pitch Pine-Scrub Oak Barrens in swale areas as per Town of Southampton Western GEIS.
Rare and Endangered Species	Not available at this time.
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/26/96

Item	Tax Map Number
	900-333-3-13
Applicant Name	Harvey L. Ramsey
Location/Access	South of Hamilton Street, (<i>air base housing</i>) north of LIRR, Westhampton, Town of Southampton. Parcel has access from Jackson Street, an unimproved paper road within an old filed map, however it appears that the filed map is completely landlocked.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.09 acres
Topography/Geologic Features	Generally flat, approximately 50' above mean sea level with steeper slopes associated with glacial swales draining southerly towards Beaverdam Pond.
Soils (<i>SC Soil Survey</i>)	CpA (Carver Plymouth sands 0-3% slopes) and CpE (Carver Plymouth sands 15-35%) associated with the above noted swale areas.
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest as per Town of Southampton WGEIS.
Rare and Endangered Species	Not available at this time.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	CR200 Residence (200,000 square feet minimum)
School District	Westhampton Beach
Public Water	No
Public Sewer	No

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/26/96

Item	Tax Map Number
	900-334-1-13
Applicant Name	Harvey L. Ramsey
Location/Access	East of Atlantic Parkway, an unimproved paper road north of LIRR, Westhampton, Town of Southampton. Parcel has access from an unnamed paper road.
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time.
Acreage	.11 acres
Topography/Geologic Features	Generally flat, approximately 50' above mean sea level with steeper slopes associated with glacial swales draining southerly towards Beaverdam Pond.
Soils (<i>SC Soil Survey</i>)	CpA (Carver Plymouth sands 0-3% slopes) and CpE (Carver Plymouth sands 15-35%) associated with the above noted swale areas.
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak forest as per Town of Southampton WGEIS.
Rare and Endangered Species	Not available at this time.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	CR200 Residence (200,000 square feet minimum)
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach

DRAFT

In reply to your recent article "The Great Land Crush" (Real Estate, Friday October 25, 1996) noting the relative scarcity of attractive building lots you failed to mention an innovative program that allows developers or holding companies to increase the number of desired building lots without acquiring more land, the Pine Barrens Credit Program. The Central Pine Barrens Joint Planning and Policy Commission created by the New York State Legislature in 1993 is actively implementing a transferrable development rights program in the Towns of Brookhaven, Riverhead and Southampton.

Quite simply, the Legislature defined the 100,000 acre Central Pine Barrens Area which is comprised of a 52,500 acre Core Preservation Area and a 47,500 acre Compatible Growth Area. Pursuant to the Central Pine Barrens Comprehensive Land Use Plan, Pine Barrens Credits can be allocated to private undeveloped or under developed property in the Core Preservation Area. These Credits can then be transferred to identified receiving areas outside the Core. Redemption of a Credit grants to the redeemer in most cases an as of right increase in the number of lots that can be created on a parcel. This increase often results in a subdivision with more lots than applicable zoning would permit. The three towns are responsible for creating the regulations authorizing the increase in yield and have painstakingly acted so as to minimize adverse impacts which could be associated with the increase. In fact, the law requires such development to be compact, efficient and orderly.

The Commission created the Pine Barrens Credit Clearinghouse to oversee the Pine Barrens Credit program. To date the Clearinghouse has actively monitored to ensure that the as of right nature of the program does not entail any added burdens or hurdles for a developer to negotiate.

A sign of the potential of the program is the fact that a principal figure of your story recently purchased a Pine Barrens Credit and the Core Preservation Area land that generated it. They in turn redeemed the Credit for a residential development in Port Jefferson Station as per the Suffolk County Department of Health Services Board of Review.

The Clearinghouse invites readers with questions to contact it at (516) 563-0385 for more information about the Pine Barrens Credit Program.

Newsday

REAL ESTATE

Friday, October 25, 1996

The Great Land CRUSH



Long Island is running out of land
— especially the kind developers
can easily build homes on
Page D2

Newsday File Photo, 1995 / Ken Spencer

PLUS

Most seniors don't plan
to 'downsize' homes,
survey finds **P. D2**

It's not just location,
location, location, it's
ZIP, ZIP, ZIP **P. D5**

New development has
unusual amenity: on-site
child care **P. D7**

REAL ESTATE CLASSIFIED INSIDE

NATION'S HOUSING

It May Be an Empty Nest, But Seniors Want to Keep It

By Kenneth Harney

WASHINGTON

AMERICA'S senior citizens have a resounding message for home builders and community planners: Don't try to "downsize" us out of our current homes just because we're over 50 and the kids have all flown the coop. We don't care if the bedrooms are sitting empty. If we had to move, we wouldn't want any fewer.

Nearly two out of every three Americans over 50 would buy the same size home they currently live in, according to a new national study based on interviews with a cross section of 1,300 seniors. The study was designed to be statistically representative of all Americans aged 50 and older. Another 14 percent would buy bigger houses if they had to leave their present homes. And another 14 percent would opt for smaller square

in with relatives or friends after leaving their current home.

The study found growing interest among home-owning seniors in reverse mortgages as a means to supplement income or pay bills. Reverse mortgages allow property owners over 62 with low or no mortgage debt to convert their frozen equity into cash through open lines of credit or loans secured by their home.

Unlike other types of debt, reverse mortgages generally don't have to be paid off until the owner moves to another residence, or dies. Although the vast majority (73 percent) of seniors without a reverse mortgage would decline to consider obtaining one, 27 percent said they would. This is nearly double the 15 percent of seniors who expressed such interest in a similar AARP survey four years ago.

Other findings of the study:

- Seniors generally don't want to move to, or live in, neighborhoods mainly populated by other seniors. Over three-quarters (76 percent) say they want "people of all ages" to live near them, whereas 13 percent said they'd rather be surrounded by fellow seniors.

- Don't look too senior homeowners to spearhead local property tax-cutting campaigns. Over half (52 percent) of those surveyed said they thought their current level of property taxation "is about right," vs. 42 percent who think their property taxes are too high. Yet 62 percent reported that in recent years their property tax burdens have grown either substantially or moderately.

- Nearly two out of three senior home-owners (63 percent) have paid off their mortgages completely, while the remainder still have outstanding mortgage debt.

- Despite being financially better off as a group than younger Americans, significant numbers of seniors occasionally run into home-related liquidity squeezes. Fifteen percent reported instances during the past 12 months when they didn't have enough money on hand to pay for repairs to their homes. Thirteen percent didn't have enough money at least once in the year to pay the mortgage or rent, and 8 percent didn't have enough money to pay for heating or telephone bills.

Kenneth Harney is a syndicated columnist.

The AARP found that 81 percent of the over-50 crowd want to stay right where they are, and for the rest of their lives.

footage and fewer bedrooms — the sort of downside, empty-nester move that some builders and designers assume to be a popular choice.

Conducted by the American Association of Retired Persons, the study sought to pinpoint housing preferences among older Americans looking ahead to the 21st Century. The study found 81 percent of the population over 50 would prefer to stay put. They don't want to buy or rent anything. They want to stay in the very home they live in today for the rest of their lives, and 64 percent of them expect they'll be able to accomplish that goal no matter how old or physically challenged they get.

And if they do eventually have to move, they want to advance age.

They want to move to a place where they can live out their lives in comfort and safety.

They want to move to a place where they can live out their lives in comfort and safety.

They want to move to a place where they can live out their lives in comfort and safety.

They want to move to a place where they can live out their lives in comfort and safety.

They want to move to a place where they can live out their lives in comfort and safety.

Twenty-six percent said they'd move.

Demand Builds For Land Ready For New-Home Development

Editor's Note: This is the first of a two-part series on the new home market on Long Island and deals with the dwindling supply of land needed for new construction.

By Joe Catalano

HOME builders on Long Island are facing a growing land shortage, especially the type of land they want most — parcels that are ready for building after having cleared the lengthy process of winning government approval for development.

It's not so much that land is running out on Long Island — although that is surely happening — but that a growing demand for new homes is gobbling up the inventory of buildable land. It takes a year or two — sometimes more, on complicated projects — to get government approval to build houses on undeveloped land. In the delay, builders fear that land prices, which have remained stable or gone up only slightly in the past few years, will go up, putting the price of a new home beyond what buyers are willing to pay.

Until recently, home builders on Long Island found what they needed in the backlog of buildable land left over from the housing market collapse after the boom of the late '80s. They had a reservoir of land already approved by municipalities for development. Roads, drainage and other infrastructure were mapped out, allowing developers to begin building immediately.

But now that is gone and to get the approvals needed to build a subdivision of 10 or more units on raw land could mean a one- to two-year delay — more, if it's a problem parcel, said Peter Klein, executive vice president of Klein & Eversoll, a Commack-based home builder.

The approval process is needed to make sure "properties are developed in the proper manner and follow town code," said John Girandola, planning director of the Brookhaven Town Planning Department. Approval involves not only determining the number of units that can be built on any given piece of land but can cover factors like environmental impact, increased traffic flow, sewer and drainage, and the size of the house.

What this shortage of approved par-

cels means to both future land and new home prices depends on the new housing market this fall and next spring, said Charles Mancini, vice president of the Park Ridge Organization, a Ronkonkoma developer. If the current healthy pace of building 4,000 to 5,000 new homes a year continues, prices should remain stable. But any further increase in sales will put additional pressure on the demand for land, prices will rise and homes will cost more, he said.

With the exception of some larger developers, most builders don't stockpile land for future development, said Richard Fierro, president of Universal Land Sales Inc. in Commack, a real estate broker specializing in land sales.

"I don't have the resources to stockpile," said Tony Prestan, president of the Prestan Organization in Miller Place, which builds about 10 homes a year. Stockpiling is also risky, he added. While the housing market is good now, it could change. "I could be sitting with land and have no market while I'm paying interest costs and property taxes on it," he said.

The majority of builders purchase land as needed, hoping to find property ready to go. For example, Prestan recently purchased 10 approved building lots in Wading River for his next project.

But pre-approved land is becoming scarcer for a number of reasons.

When the market was hot in the '80s, there were builders, speculators and investors buying land, getting the approvals and reselling it for a profit, Mancini said. Then the recession hit at the end of the decade and land speculating ceased.

From 1991 to 1993, lenders began foreclosing on developers and their failed projects, Klein said. They resold the properties, which had most or all municipal building approvals in place, to solvent developers at attractive prices.

But in the last year, this land has been absorbed, Klein said. As the new-home market has regained strength, builders have again started looking to other sources for land. But most land-owners, who weren't thinking about selling during the market downturn, hadn't kept pace and don't have parcels ready to build on because of the lengthy time it takes to get an approval, Mancini said.

"There also isn't much flipping going on," Fierro said, referring to the process where developers buy land and resell it for a quick profit. Most developers are holding onto land for their own use, Mancini said.

Vacant land, in general, is getting less abundant as Nassau's 182,700 acres and Suffolk's 566,400 acres have become increasingly built up. The last comprehensive survey of undeveloped land that could be developed was conducted by the Long Island Regional Planning Board in 1986. It found 15,500 acres or 8.5 percent of Nassau

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REAL ESTATE

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COVER STORY

County's developable land still untouched. Suffolk had 197,000 acres, or 35 percent.

But since 1986, both counties' supplies of developable land have shrunk further due to continued development and government protection. There has been a big change in Suffolk County, where 10,000 acres of farmland and 21,500 additional acres in the Pine Barrens have been protected from development over the last 10 years, said Roy Fedele, a planner with the Regional Planning Board. These subtractions alone leave Suffolk with 29 percent of its total acreage available for development.

Fedele said it's very difficult to determine how much developable land is left, but a rough guess can be made based on the building permits issued in the past 10 years. In Suffolk County, assuming those permits were used to build on what averaged out to be half-acre lots, there would be 25,000 fewer acres available, leaving about 25 percent of the county's total acreage available, he said. In Nassau, assuming smaller, quarter-acre lots were the average, 2,000 more acres were used up, leaving only about 7.4 percent to build on.

Many communities have changed their zoning over the years, decreasing the number of homes per acre that can be built, Fierro said.

Demand for land is up. In 1991, 220 transactions of vacant land selling for \$9,000 or more occurred in Nassau County. In 1995, there were 535 such transactions, according to Comps Inc., a Yonkers company that tracks real estate transactions. In Suffolk, land transactions rose to 2,899 in 1995 from 1,599 in 1991.

All these factors have tightened the squeeze on builders seeking land at a price that won't force them to hike the price of their homes.

"I've been coming across a lot of land that's raw and overpriced," said Wayne Marnell, president of the Marnell Building and Development Corp. in Bellmore. Marnell builds five to seven homes a year, but wants to increase. "Landowners are feeling a sense of empowerment because they feel there is not much land around," he said.

Yet, despite greater demand and less available product, builders report that so far prices have remained fairly stable. There are a few areas where prices have climbed, Fierro said. For example, a building lot selling for up to \$220,000 in Dix Hills prior to the recession dropped to \$110,000 after the market downturn. Now building lots are running about \$165,000, he said.

The swing in prices in Dix Hills is more dramatic because it is in a hot, high-priced development area. Fierro said that in Manorville, land that had been selling for \$42,000 at the peak dropped to \$25,000 and is now up a modest amount, to about \$30,000.

In most areas, land prices have risen



Newsday Photo: Dick Yarwood

Tony Prestan, president of Prestan Organization, stands in front of a house he built five years ago and a new one he is spot-building in Miller Place.

little from the declines of up to 50 percent seen in the beginning of the decade. As a result, new-home prices have remained fairly stable.

"Builders buy land working backwards," explained Mary Ann O'Hare, a sales agent specializing in land sales with the Prudential Long Island Realty in Smithtown. The builder first looks at prices for new homes surrounding the land under consideration. This determines what the builder's own selling prices can be. Materials costs and other expenses are figured in, along with a profit margin. When that is subtracted from the predetermined selling price, what's left is what the developer can spend on each building lot, she said.

The builder agrees to a price, but only closes once final approvals are obtained from the municipality. Lately, some landowners have been asking for builders to close before approvals are in place, Marnell said. That's risky for the builder, who doesn't know how many building lots the municipality will approve. If it's less than he estimated, the land cost could be too high and make the project unprofitable, he said.

But the builders' preferred method of buying land, where the seller has already gotten the approvals, adds up to 25 percent to a building lot's cost. Still, the added expense is worth it, and sometimes works out to be cheaper than buying land that has not gotten government approval for development.

"The approval process is laborious, onerous and costly," Mancini said. A builder has to bring in traffic, engineering, environmental and legal consultants. Every aspect has to be determined, from where roads and sewers go to how water drains, he said.

The lengthy approval process is needed because as towns become more densely populated, there are more concerns about a new development's impact on traffic, the environment and the people living there, planners

said.

"In a reasonably good housing market (like the present one), getting approved land is worth a lot of money," Klein explained. If the builder is doing well and has only a few homes left to sell in a development, he wants to continue and move on to the next project. While waiting for an approval, anything can happen, including the municipality upgrading the area's zoning. "So you pay a premium for the ready-to-go property," he said.

Builders find land in many ways, either using real estate brokers, having sellers come to them or going after parcels in areas in which they want to build.

Increasingly in many areas, builders use land development companies, Prestan said. These businesses buy land, get the approvals and do the improvements, such as hooking up to water lines. "It makes it easier for smaller developers," Prestan said.

Sensing a niche, Jack Campo, a Long Island builder for over three decades, began focusing on land development in Suffolk County four years ago.

"Our inventory of land that is ready to go and approved is quickly being depleted," said son Frank Campo, vice president of Jack Campo & Sons in Port Jefferson. In the past four months, the company has sold 50 building lots to both builders and individuals. Earlier this month, a builder took a binder on a Port Jefferson subdivision of 43 one-half acre lots Campo owns.

Campo & Sons stockpiles land, buying it years before seeking approvals, said Jack Campo. In the last four years, the company has acquired more than 500 sites. Some lots have no roads leading to them. But he anticipates that as surrounding lots are developed, the value of the harder-to-reach ones will increase. He will then seek approvals and place the land on the market.

But no matter from whom land is bought or how a deal is constructed, there is one constant for a builder — the length of the approval process costs money. This in turn inflates the price of land and housing, Klein said. In other parts of the country, like Virginia, where Klein has built, approvals are obtained within months.



Newsday Photo: Dick Yarwood

Frank Campo, vice president of a building company, stands at the site where 19 new homes will be built in Port Jefferson.

Brookhaven Town Planning Director Girandola said it takes 18 months to two years for a large development to get approved. The town has the most new housing going up on Long Island, he said.

However, Brookhaven, like other municipalities, has taken steps to streamline the process, Girandola said. No longer do builders have to go through the Zoning Board of Appeals to get a zoning variance. It is handled by the Planning Department. In addition, the town is developing a new land-use plan to revise its zoning codes. While it won't eliminate the review process, it should make it more efficient, he said.

Joe Catalano is a free-lance writer.

Next week: The increase in building permits reflects the growing new-home market on Long Island.

Filling Up

Number of sales of vacant land valued at \$9,000 or more

	Suffolk	Nassau
1991	1,599	220
1992	1,979	215
1993	1,888	452
1994	2,453	594
1995	2,899	535
1996 *	1,824	315

* Through Aug. 31.

SOURCE: Comps Inc.

[illegible]

PINE BARRENS CREDIT CLEARINGHOUSE ---

JAMES T. B. TRIPP, ESQ., *CHAIRMAN*
ALLAN GRECCO, ESQ., *VICE CHAIRMAN*
ANDREW P. FRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

Clearinghouse Agenda (Final) for November 26, 1996 4:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of October 26, 1996 Clearinghouse meeting minutes (attached)
- County Treasurer's Report

2. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretation

- Summary of Clearinghouse applications
- Issuance of Letters based on staff reports

B. Pine Barrens Credit Certificates

- Proposed Warner Easement (previously faxed)
- Issuance of 2 Pine Barrens Credit Certificates in Southampton

3. Program Implementation

- Status of Request for Offers to Sell Pine Barrens Credits
 - 3 requests for Clearinghouse to coordinate Request to Sell PBCs
- Potential for Clearinghouse to serve as transfer agent

4. Meeting Schedule

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., CHAIRMAN
ALLAN D. GRECCO, ESQ., VICE CHAIRMAN
ANDREW P. FRELENG, A.I.C.P., MEMBER
JOHN F. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for November 26, 1996 (FINAL) Commission Office Great River, New York 4:00 p.m.

Present: Board members present were Mr. Grecco (representing Suffolk County), Mr. Freleng (representing Southampton), Mr. Pally (representing New York State) and Mr. Hanley (representing Riverhead). Also in attendance were Ms. Roth, General Counsel to the Commission and Ray Corwin, Executive Director to the Commission. Staff members included Mr. Hopkins, Mr. Milazzo and Ms. Plunkett. Additional attendees are shown on the attached sign-in sheet.

The meeting was chaired by Mr. Grecco in Mr. Tripp's absence and was called to order at 4:15 p.m.

1. Administrative

- **Capitalization Funds Update and Report from Suffolk County Treasurer's Office**
Christina Cooke distributed and reviewed the attached financial report for the month of October 1996. The total closing balance for that month was \$5,139,700.05. Mr. Grecco asked Ms. Cooke what the procedure would be for the disbursement of funds, anticipating that Mr. Warner would be seeking to sell his credits to the Clearinghouse as soon as possible. Ms. Cooke stated that there are many ways to ensure that funds would be available for disbursement. It was decided, to discuss the details of the disbursement process during the discussion of Mr. Warner's matter later in the meeting, as noted on the agenda.
- **Public Comment period**
At this time there were no public comments.
- **Additional Comments regarding Treasurer's report**
Mr. Hanley asked Ms. Cooke if a more detailed balance sheet of the Clearinghouse funds could be prepared similar to a profit and loss statement. She stated that she would speak to the accounting personnel and report about this at the next meeting.
- **Adoption of October 29, 1996 Pine Barrens Credit Clearinghouse meeting summary**
Ms. Roth suggested the following changes to the draft summary of the 10/29/96 meeting. Under the motion to forward the Gazza conservation easement to the Commission, it should read "for acceptance" and that the word "be" should be added before "recorded in the Suffolk County Clerk's office." From the motion to allow the Clearinghouse members to sign Pine Barrens Credit Certificates, Ms. Roth suggested removing the word "standing" from the text.

A motion was made by Mr. Pally and seconded by Mr. Freleng to adopt the meeting summary of the October 29, 1996 meeting as amended. The motion was approved by a vote of 4-0.

2. PBC Clearinghouse Letter of Interpretation Applications

- **A. Summary of Clearinghouse Applications**
Mr. Milazzo distributed the staff reports and table of Letter of Interpretation applications to the members for their consideration. He then briefly gave an overview of the application of Martha Barkus and associates

who have a total of 54 Letter of Interpretation applications for property totaling 19.4 acres on Mill Road in Manorville, Town of Brookhaven. Utilizing the survey submitted with the applications that was color coded by staff, it was explained how some of the parcels front on an improved road, however there were two parcels that had boundaries joining at the road. Ms. Plunkett asked the Clearinghouse whether these parcels were entitled to the minimum one credit for lots on improved roads. Mr. Grecco asked about the definition of frontage. Staff stated that there was no definition provided in the *Plan* or in the Town of Brookhaven zoning code. He then stated that since owners of these parcels actually own to the centerline of the mapped road he believed that the two parcels in question would each be entitled to one credit.

Further discussion ensued regarding some of the Barkus' parcels which, according to the survey, are subject to a LILCO easement. The question was whether these lots were entitled to their full allocation given the fact that the easement could be considered a use of the land. Staff stated that the right of way was an active transmission line corridor. Ms. Roth stated that it may not be possible to make a determination without reviewing the easement agreement between the landowner and LILCO. It was decided to hold decision on the lots affected by the LILCO easement and have counsel report on them at the next meeting.

No discussion took place on any of the other applications.

A motion was then made by Mr. Grecco and seconded by Mr. Freleng to approve all the allocations as noted on the table, except those affected by the LILCO easement, and giving all of the lots along the improved road a minimum of one credit as per the Plan, for the reasons stated above. The motion was approved by a vote of 4-0.

B. Pine Barrens Credit Certificates

Ms. Roth gave the Clearinghouse members an overview of the customized conservation easement that had been prepared for the Olin Warner parcel in response to the uniqueness of the site as well as concerns previously raised by the Clearinghouse and the Commission. Mr. Hanley asked Mr. Warner if he had any objections to the contents of the easement and he stated that he did not. A brief discussion ensued regarding the definition of "adequate liability" as stated in the easement and it was determined that the insurance that Mr. Warner held would cover the liability concerns previously raised.

A motion was made by Mr. Pally and seconded by Mr. Hanley to forward the revised conservation easement to the Commission for review. The motion was approved by a vote of 4-0.

A discussion then ensued regarding the steps that would be taken to finalize the Warner application and ensure that funds would be issued to him in a timely fashion. It was stated that a continuation of title would have to be ordered and that the executed easement would have to be presented to the Commission for signing and filing with the County Clerk. Upon these items being in place, Mr. Grecco stated that a typical real estate closing could take place in which the Treasurer would issue the funds necessary for the purchase of Mr. Warner's credits. It was further stated however, that a voucher would have to be prepared in order for the County Treasurer to disburse the funds and that a portion of Mr. Warner's proceeds would have to satisfy some unpaid back taxes. The Clearinghouse members emphasized the need to have the funds available as soon as all the other matters were finalized.

A motion was made by Mr. Hanley and seconded by Mr. Pally to direct staff to speak with the County Treasurer and request that out of the Certificate of Deposit (CD) that will come due on December 9, 1996 sufficient funds for the purchase of Mr. Warner's 47.99 Pine Barrens Credits be placed in a money market fund to ensure liquidity of these funds. The remainder of the funds could be rolled over in a new CD. The motion was approved by a vote of 4-0.

Mr. Milazzo then informed the Clearinghouse that the first Pine Barrens Credit Certificates will be issued in the Town of Southampton to Mr. Morris Abramson and Mr. Joseph Gazza. Mr. Abramson will receive 0.30 Pine Barrens Credits in the Riverhead School District. Mr. Abramson recorded the preapproved easement on Suffolk County Tax map parcels 900-212-2-15, 21 and 900-212-5-8. Mr. Gazza will receive 0.40 Pine Barrens Credits in the Westhampton Beach School District. He placed an easement on Suffolk County Tax Map parcels 900-280-2-52, 53, 55 and 900-334-2-52.

3. **Program Implementation**

• **Status of request for offers to sell Pine Barrens Credits**

Mr. Grecco began the discussion by asking counsel whether the request for offers was a tool that the Clearinghouse could use legally. Ms. Roth stated that as long as the offers are tailored to either indemnify the Commission from any potential liability or have the credit purchasers make any decisions that would require judgement, it is a tool that the Clearinghouse can use.

Mr. Milazzo then distributed and discussed two new inquiries (*attached*) for requests for offers that had been received. A third inquiry was one that would be contingent upon the purchaser receiving Suffolk County Department of Health approval. The members stated that in no case should requests for offers be prepared with such conditions. A long discussion then ensued regarding the details of the requests and what information staff should include as part of the mailing to landowners. Originally, it was envisioned that the landowner would be required to execute their conservation easement upon sending in their accepted purchase price. It was stated that landowners may be wary of binding their land with no real proof of receiving monetary compensation. It was agreed that landowners would be required to agree to the terms of the easement, which would be enclosed, however not be required to execute same. It was agreed that the members would review the final documents prior to mailing but that a formal vote would not be necessary.

A motion was made by Mr. Grecco and seconded by Mr. Freleng to direct staff to proceed with the preparation of a revised request for offers for the current purchase requests for Pine Barrens Credits. The motion was approved by a vote of 4-0.

• **Potential for Clearinghouse to serve as transfer agent**

Staff then apprised the members of a request for the Clearinghouse to act as an escrow agent for landowners who were interested in buying and selling their credits, however would want the Clearinghouse to hold monies and or certificates. These inquiries were primarily from potential credit holders who were not in close geographic proximity to potential credit purchasers. Ms. Roth stated that the Clearinghouse would not be an escrow agent and generally, the members agreed that they would not want to act in such a capacity. Mr. Hanley suggested that these cases be handled through a bank as a "collection item." He said this is done on a routine basis for similar matters and offered to gather more information regarding the procedures.

4. **Meeting Schedule**

The Clearinghouse discussed several dates and times for their next meeting. Mr. Grecco stated that since there would not be a meeting in December, the January meeting should be held early in the month.

A motion was then made by Mr. Pally and seconded by Mr. Freleng to schedule the next Clearinghouse meeting for January 6, 1997 at 3:00 p.m. at the Commission Office. The motion was approved by a vote of 4-0.

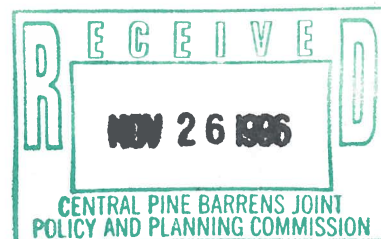
A motion was made by Mr. Grecco and seconded by Mr. Freleng to enter into executive session for the purpose of discussing legal matters. The motion was approved by a vote of 4-0.

The executive session lasted approximately 30 minutes and the meeting was adjourned with no further business.

Attachments (in order of discussion)

1. Suffolk County Treasurer's financial report
2. Table of Complete Letter of Interpretation Applications dated 11/26/96 and accompanying staff reports
3. Letters of inquiry for requests for offers of Pine Barrens Credits (2)

TRUST & AGENCY - PINE BARRENS
MONTHLY ACTIVITY REPORT
PERIOD ENDING 10/31/96



	ACTIVITY	CLOSING BALANCE
MONEY MARKET ACCOUNT		
<u>NORTH FORK (662400-525-9)</u>		
OPENING BALANCE		121,914.74
ACTIVITY	DATE	
RECEIPTS		
NOTE A	17,766.66	
	0.00	
	0.00	
	0.00	
	0.00	
	<u>17,766.66</u>	17,766.66
DISBURSEMENTS		
NOTE B	(134,681.40)	
	0.00	
	0.00	
	0.00	
	0.00	
	<u>(134,681.40)</u>	(134,681.40)
INTEREST		<u>18.65</u>
CLOSING BALANCE - MONEY MARKET		5,018.65
<u>CERTIFICATES OF DEPOSIT</u>		
OPENING BALANCE		5,000,000.00
ACTIVITY	DATE	
RECEIPTS		
NOTE B	134,681.40	
	0.00	
	0.00	
	0.00	
	0.00	
	<u>134,681.40</u>	134,681.40
DISBURSEMENTS		
NOTE A	(17,766.66)	
	0.00	
	0.00	
	0.00	
	0.00	
	<u>(17,766.66)</u>	(17,766.66)
INTEREST		<u>17,766.66</u>
CLOSING BALANCE - CERTIFICATES OF DEPOSIT		<u>5,134,681.40</u>
TOTAL CLOSING BALANCE - TRUST & AGENCY PINE BARRENS		<u>5,139,700.05</u>

NOTE A: CD INTEREST IS TRANSFERRED TO THE MONEY
MARKET ACCOUNT UPON RECEIPT

NOTE B: CD # 6630021662 WAS OPENED ON 10/1/96 FOR \$1,134,681.40
- \$1,000,000.00 WAS ROLLED OVER FROM CD # 6630022017
WHICH MATURED ON 10/1/96 AND \$134,681.40 WAS
TRANSFERRED FROM THE MONEY MARKET ACCOUNT

NOTES:

THE MONEY MARKET INTEREST RATE FOR THE MONTH
OF OCTOBER WAS 2.5%

AS OF 10/31/96 WE HAVE INVESTED 5.1 M IN THE
FOLLOWING CD'S

BANK	RATE	MATURITY DATE	AMOUNT
NORTHFORK	5.40%	11/4/96	1.5M
NORTHFORK	5.40%	12/9/96	1.0M
NORTHFORK	5.32%	1/14/97	1.5M
NORTHFORK	5.36%	2/4/97	1.1M
TOTAL			5.1M

Complete Residential Letter of Interpretation Applications
November 26, 1996

<i>Applicant(s)</i>	<i>SCTM # Location</i>	<i>Size in Acres/ Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-1-5	0.4 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for allocation of 1.0 PBC due to road frontage	1.0
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-1-6	0.2 Acres A5 Residence	See attached report	Complete	0.032	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-1-9	0.35 Acres A5 Residence	See attached report	Complete	0.056	Qualifies for allocation of 1.0 PBC due to road frontage	1.0
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-1	0.55 Acres A5 Residence	See attached report	Complete	0.088	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-2	0.40 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-3	0.55 Acres A5 Residence	See attached report	Complete	0.088	Qualifies for allocation of 1.0 PBC due to road frontage	1.0

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Site in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-4	0.40 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-5	0.40 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-6	0.45 Acres A5 Residence	See attached report	Complete	0.072	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-7	0.55 Acres A5 Residence	See attached report	Complete	0.088	LILCO easement over parcel; Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-8	0.90 Acres A5 Residence	See attached report	Complete	0.144	LILCO easement over portion of parcel	
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-9	0.80 Acres A5 Residence	See attached report	Complete	0.128	LILCO easement over portion of parcel	

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Size in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-10	0.25 Acres A5 Residence	See attached report	Complete	0.04	Corner of parcel is tangent to improved Mill Road; LILCO easement over portion of parcel	
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-12	0.05 Acres A5 Residence	See attached report	Complete	0.08	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-13	0.40 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC; LILCO easement over portion of parcel	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-14	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC; LILCO easement over portion of parcel	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-15	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-16	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10

<i>Applicant(s)</i>	<i>SCTM #, Location</i>	<i>Site in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-17	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-18	0.15 Acres A5 Residence	See attached report	Complete	0.024	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-19	0.25 Acres A5 Residence	See attached report	Complete	0.04	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-20	0.25 Acres A5 Residence	See attached report	Complete	0.04	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-21	0.15 Acres A5 Residence	See attached report	Complete	0.024	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-22	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Site in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-23	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-24	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-25	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-26	0.5 Acres A5 Residence	See attached report	Complete	0.08	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-28	0.4 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-29	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10

<i>Applicant(s)</i>	<i>SCTM #, Location</i>	<i>Site in Acres, Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-30	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-31	0.36 Acres A5 Residence	See attached report	Complete	0.0576	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-32	0.45 Acres A5 Residence	See attached report	Complete	0.072	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-46	0.40 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-47	0.35 Acres A5 Residence	See attached report	Complete	0.056	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-48	0.25 Acres A5 Residence	See attached report	Complete	0.04	Qualifies for minimum allocation of 0.10 PBC	0.10

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Site in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-49	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-50	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-51	0.25 Acres A5 Residence	See attached report	Complete	0.04	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-52	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-53	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Corner of parcel is tangent to Improved Mill Road	1.0
Sharon Berman C/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-54	0.05 Acres A5 Residence	See attached report	Complete	0.008	Has road frontage but only 2,178 square feet of area, therefore does not qualify for allocation of 1.0, does qualify for minimum allocation of 0.10	0.10

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Size in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-55	0.35 Acres A5 Residence	See attached report	Complete	0.056	Qualifies for allocation of 1.0 PBC due to road frontage	1.0
Sharon Berman C/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-56	0.1 Acres A5 Residence	See attached report	Complete	0.016	Qualifies for minimum allocation of 0.10 PBC	0.10
Max Hershkowitz and P. Barkus C/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-57	0.35 Acres A5 Residence	See attached report	Complete	0.056	Qualifies for minimum allocation of 0.10 PBC	0.10
Sharon Berman c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-58	0.25 Acres A5 Residence	See attached report	Complete	0.04	Qualifies for allocation of 1.0 PBC due to road frontage	1.0
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-60	0.5 Acres A5 Residence	See attached report	Complete	0.08	Qualifies for allocation of 1.0 PBC due to road frontage	1.0
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-61	0.4 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC	0.10

<i>Applicant(s)</i>	<i>SCTM #, Location</i>	<i>Size in Acres; Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-62	0.4 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-63	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-64	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-65	0.12 Acres A5 Residence	See attached report	Complete	0.0192	Qualifies for minimum allocation of 0.10 PBC	0.10
Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-66	0.37 Acres A5 Residence	See attached report	Complete	0.0592	Qualifies for minimum allocation of 0.10 PBC	0.10
Shirley Hershkowitz c/o Martha Barkus 407 Cartwright Blvd. Massapequa Park, NY 11762	200-411-2-67	0.12 Acres A5 Residence	See attached report	Complete	0.192	Qualifies for minimum allocation of 0.10 PBC	0.10

<i>Applicant(s)</i>	<i>SCTM #: Location</i>	<i>Size in Acres: Zoning</i>	<i>Property Status</i>	<i>Application Status</i>	<i>Gross Allocation</i>	<i>Allocation Notes</i>	<i>Proposed Allocation</i>
Bernadette DePaoli 280 Barclay Manor Newburgh, NY 12550	200-529-3-4	0.09 Acres A5 Residence	See attached report	Complete	0.0144	Qualifies for minimum allocation of 0.10 PBC	0.10
Bernadette DePaoli 280 Barclay Manor Newburgh, NY 12550	200-529-3-13	0.14 Acres A5 Residence	See attached report	Complete	0.0224	Qualifies for minimum allocation of 0.10 PBC	0.10
Helene Frank and Sandra Meltzer C/o Sheldon Janowitz 155 Westwood Drive Apartment 169 Westbury, NY 11590	900-212-7-1	15.2 Acres Country Residence 200	See attached report	Complete	2.432		2.43
Denis B. Guardiano 145 95th Street Apartment C-5 Brooklyn, NY 11209	900-243-1-5	0.12 Acres Country Residence 200	See attached report	Complete	0.0192	Qualifies for minimum allocation of 0.10 PBC	0.10
Ruth Havjar 10 Colden Street Huntington, NY 11746	900-302-3-5 Compatible Growth Area	0.17 Acres Country Residence 200	See attached report	Complete		Property in an overlap section but overlaps on parcel that is in the Compatible Growth Area	0

Entries in bold raise issues which need to be addressed by the Clearinghouse

CREDIT APPLICATION STAFF REPORT

Issue Date: 11/21/96

Site Visit: 10/16/96

Item	Tax Map Numbers:
	200-411-1-5, 6, 9 200-411-2-1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 60, 61, 62, 63, 64, 65, 66, 67
Applicant Name	Martha Barkus, Shirley Hershkowitz, Max Hershkowitz, Sharon Berman
Location/Access	Two tax parcels 200-411-5 & 9 and four parcels known as 200-411-2-3, 55, 58, and 60 front on Mill Road, an improved road. Two additional lots 200-411-2-10 & 53 have property lines that intersect at Mill Road and one lot does front on Mill Road however is smaller than the required minimum of 4000 square feet to be eligible for one credit. All other paper roads are not open except for the LILCO ROW which overlays Wilson Avenue. <i>(see attached survey)</i>
Hagstrom Map #	Map 20, L-26
Aerial #	Not available at this time.
Acreage	54 lots totalling 19.34 acres. <i>(See attached table for individual lot sizes)</i>
Topography/Geologic Features	Relatively flat, approximately 50' above mean sea level.
Soils (<i>SC Soil Survey</i>)	PiA (Plymouth loamy sand 0-3% slopes) and CpC (Carver and Plymouth sands 8-15% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	Yes, to the northwest and southeast of the subject old filed map there are regulated wetlands associated with the Peconic River. This is designated area R-5. It is not possible to say if and how much regulated area may exist on the subject parcels.
Vegetative Cover Type	Pitch pine - oak woods with areas of pine barrens shrub swamp.
Rare and Endangered Species	Yes, associated with wetland areas as per NYS DEC map dated 4/6/95.
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	South Manor
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Comments	Properties are located within the Wild, Scenic and Recreational Rivers Corridor.

CREDIT APPLICATION STAFF REPORT

Issue Date: 11/21/96

Item	Tax Map Numbers:
	200-529-3-4 & 13
Applicant Name	Bernadette DePaoli
Location/Access	East of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcels are accessible from a partially open, however unimproved, paper road (<i>Marlboro Avenue</i>).
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.09 and .14 acre respectively
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdB (Riverhead sandy loam, 3-8% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC maps, wetland # B-14 is a series of smaller wet areas located to the east and south of the subject site.
Vegetative Cover Type	Pitch pine - oak/heath woodland with areas of pine barrens shrub swamp.
Rare and Endangered Species	According to 1995 Natural Heritage data, there are rare or endangered species in the vicinity of the site associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Longwood
Public Water	No
Public Sewer	No
Fire/Police District	Yaphank
Comments	

CREDIT APPLICATION STAFF REPORT

Issue Date: 11/21/96

Item	Tax Map Numbers:
	900-212-7-1
Applicant Name	Helene Frank & Sandra Meltzer
Location/Access	South of East Moriches-Riverhead Road (CR51), west of old filed map of Southampton Terrace, Eastport, Town of Southampton. Parcel fronts on and takes access from the above noted improved county road.
Hagstrom Map #	Map 23, N-29
Aerial #	Not available at this time.
Acreage	.15.2 acres as per application.
Topography/Geologic Features	Gently sloping in a southerly direction, approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	RdB (Riverhead sandy loam 3-8% slopes) and PiC (Plymouth loamy sand 8-15% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak Forest
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant.
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Speonk-Remsenburg
Public Water	No
Public Sewer	No
Fire/Police District	Eastport
Comments	This parcel overlays on a portion of another parcel, known as tax map number 900-235-1-58 containing 27.8 acres. We have also had inquiries about the subject parcel from someone else claiming to be the owner.

CREDIT APPLICATION STAFF REPORT

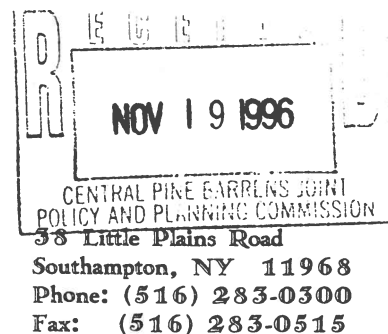
Issue Date: 11/21/96

Item	Tax Map Numbers:
	900-243-1-5
Applicant Name	Dennis Guardino
Location/Access	South of Sunrise Highway, west of Old Riverhead Road, Westhampton, Town of Southampton. Parcel fronts on Ocean Avenue, an unimproved road.
Hagstrom Map #	Map 23, O-30
Aerial #	Not available at this time.
Acreage	.12 acres as per application.
Topography/Geologic Features	Relatively flat, approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Cpa (Carver and Plymouth sands 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Transition zone between dwarf pine plains and pitch pine - scrub oak barrens as per Town of Southampton WGEIS.
Rare and Endangered Species	Yes associated with the above noted habitats.
Land Use	Vacant.
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

Omnibuzz Associates

Governmental Relations * Public Relations * Business Consultants

Edwin "Buzz" Schwenk - President



November 18, 1996

Pine Barrens Credit Clearinghouse
P. O. Box 587
Great River, New York 11739-0587

Dear Sirs,

We are representing a client interested in buying six (6) Pine Barrens Credits for use in the Town of Brookhaven. It has been brought to our attention that you may well have inventoried or in your possession at least that number of credits for sale. If so, we'd appreciate the opportunity to negotiate the purchase of same in the name of our client.

Thank you for your consideration in this matter and we're looking forward to your response.

Very truly yours,

Edwin M. Schwenk

EMS:al

Nathan L. Serota

70 EAST SUNRISE HIGHWAY • SUITE 610 • VALLEY STREAM, N.Y. 11581-1260
[516] 561-9500 • FAX [516] 561-9378

November 25, 1996

VIA FACSIMILE (516 277 4097) AND U.S. MAIL

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

Dear Mr. Milazzo:


Pursuant to your telephone conversation with Terri Elkowitz, I am interested in exploring the purchase of pine barrens credits through the Offer to Purchase Program.

Specifically, I am seeking four (4) pine barrens credits in the Town of Brookhaven which I will need within the next three months. I am willing to pay between \$7,500 and \$14,000 per credit.

Please contact me at 516-561-9500, or Terri Elkowitz at 516-499-2222 regarding the procedure to acquire the required credits.

Thank you for your attention to this matter.

Sincerely,


Nathan L. Serota

ckl

cc: Terri Elkowitz

DATE/TIME: 4:00 pm 11/26/96

[illegible]

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

Commission Agenda (DRAFT) for December 4, 1996 Riverhead Town Hall / 2:00 pm

(If you are missing any items listed already distributed, please call Lorraine Trezza before the meeting!)

1. Administrative

- Public comments *(please sign Speaker Sheet)*
- Draft summaries for 10/2, 10/23, and 11/13 meetings: review and approval *(10/2 and 11/13 were faxed; 10/23 will be faxed)*

2. Pine Barrens Credit Program

- Summary of current applications and PBC Clearinghouse Board activities
- Warner / Riverhead: approval of conservation easement; credit purchase procedure
- U.S. Colium Corp. / Wildwood: new credit appeal on parcels 900-195.1-2-3,4,6,7

The following item is scheduled for 4:00 pm:

- Schreck / Eastport: credit allocation appeal discussion

3. Plan implementation

- Clearing reports: status of procedures for follow-up *(from 11/18 memo)*

4. Core Preservation Area

- Nassau County Council of Boy Scouts / Wading River / core hardship application for golf course: correspondence received; discussion re decision *(due 12/27)*
- United Artists county parkland / Eastport: discussion of management plan *(previously distributed; Commissioner Frank, SC Parks Dept.)*

5. Compatible Growth Area

- Coram Airfield county parkland / Coram: discussion of management plan *(previously distributed; Commissioner Frank, SC Parks Dept.)*

6. Core Preservation and Compatible Growth Area

- South Rocky Point Acres / Rocky Pt: SC Health referral; discussion *(from 10/23)*
- Dorade sewage treatment plant expansion: communications received

7. Executive Session (if needed)

8. Public hearing - 5:00 pm

- Bronfeld / Flanders / major subdivision: core hardship hearing continuation

Next Commission meeting: 12/18/96, 2:00 pm, Quogue Wildlife Refuge, Old Country Road, Quogue

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

Commission Agenda (FINAL) for December 4, 1996 Riverhead Town Hall / 2:00 pm

1. Administrative

- Public comments (*please sign Speaker Sheet*)
- Draft summaries for 10/2 and 11/13 meetings: review and approval (*faxed; 10/23 will be faxed later this week for 12/18 review*)
- Scheduling: meeting dates and times for January through June 1997

2. Pine Barrens Credit Program

- Summary of current applications and PBC Clearinghouse Board activities
- Warner / Riverhead: approval of conservation easement; credit purchase procedure
- U.S. Colium Corp. / Wildwood: new credit appeal on parcels 900-195.1-2-3,4,6,7

The following item is scheduled for 4:00 pm:

- Schreck / Eastport: credit allocation appeal discussion

3. Plan implementation

- Clearing reports: status of procedures for follow-up (*from 11/18 memo*)
- Quogue Village code amendments: notice of filing

4. Core Preservation Area

- Nassau County Council of Boy Scouts / Wading River / core hardship application for golf course: correspondence received; discussion re decision (*due 12/27*)
- Bronfeld / Flanders / major subdivision: request for postponement of today's hearing

5. Core Preservation and Compatible Growth Area

- South Rocky Point Acres / Rocky Pt: SC Health referral; discussion (*from 10/23*)

6. Executive Session (if needed)

7. Public hearing - 5:00 pm (*Postponement request received - see above.*)

- Bronfeld / Flanders / major subdivision: core hardship hearing continuation

Next Commission meeting: 12/18/96, 2:00 pm, Quogue Wildlife Refuge, Old Country Road, Quogue

Central Pine Barrens Joint Planning and Policy Commission

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Great River, New York 11739-0587
516-563-0385 / Fax 516-277-4097

Commission Meeting Summary (DRAFT) for December 4, 1996 (To be approved) Riverhead Town Hall / 2:00 pm

Commission members present: Mr. Proios (for Suffolk County), Ms. Wiplush (for Brookhaven), Ms. Filmanski (for Riverhead), Mr. Freleng (for Southampton) and Mr. Cowen (for New York State).

Others present: General counsel was Ms. Roth. Staff members from the Commission and other agencies included Mr. Corwin, Ms. Trezza, Ms. Plunkett, Mr. Milazzo (from the Commission), Mr. Grecco (from the Suffolk County Department of Law and Vice Chair of the Pine Barrens Credit Clearinghouse) and Mr. Spitz (from the NYS Department of Environmental Conservation). Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order at approximately 2:16 pm by Mr. Proios, with a five member quorum.

Administrative

- Public comments
Summary: There were no speakers.
- Draft summaries for 10/2 and 11/13 meetings: review and approval
Summary: Ms. Roth suggested one change to the draft 10/2/96 meeting summary: under "1996-97 Fiscal Year Commission-Suffolk Water Contract", the next to last sentence should read, in part: "... to approve the attached contract between the Commission and the SCWA for the 1996-97 fiscal year and to authorize the Chair or his designated representative to execute the contract." **A motion was then made by Ms. Filmanski and seconded by Mr. Freleng to approve the summary of the 10/2/96 meeting with that change. The motion was approved by a 5-0 vote.**

Mr. Milazzo suggested the following changes to the draft 11/13/96 meeting summary as follows: (1) under "Landow / Westhampton", the first sentence should have "Westhampton" substituted for "Eastport"; (2) under "Weeks / Middle Island", the first two sentences should read: "Mr. Milazzo summarized this pending credit appeal for a parcel in Middle Island. The parcel contains a house and a one acre area which is under covenants and restrictions." **A motion was then made by Mr. Freleng and seconded by Ms. Filmanski to approve the summary of the 10/2/96 meeting with that**

change. The motion was approved by a 5-0 vote.

Mr. Corwin noted that the 10/23/96 summary will be faxed later this week for review at the 12/18/96 meeting.

- Scheduling: meeting dates and times for January through June 1997
Summary: The attached draft Commission meeting schedule - with dates only -for the first half of 1997 prepared by Ms. Trezza was discussed. It was agreed to adopt it without the 6/25/97 date. **A motion was made by Mr. Freleng and seconded by Ms. Filmanski to adopt the attached meeting schedule with the deletion of the 6/25/97 date. The motion was approved by a 5-0 vote.**

Pine Barrens Credit Program

- Summary of current applications and PBC Clearinghouse Board activities
Summary: Mr. Milazzo reported that 194 Letters of Interpretation (LOIs) have been issued to date across all three towns, which total 221.8 Pine Barrens Credits (PBCs). This is composed of 146 Brookhaven LOIs totalling 118.97 PBCs, 6 Riverhead LOIs totalling 57.23 PBCs, and 92 Southampton LOIs totalling 45.60 PBCs. He noted that a total of 0.70 PBC is in the form of unredeemed PBC Certificates, all within Southampton Town. These are comprised of 0.30 PBC in the Remsenburg-Speonk School District and 0.40 PBC in the Westhampton Beach School District.

Mr. Milazzo stated that there are two new proposed "Dutch Auctions" for the purchase of PBCs. He reported that out-of-area core property owners with Letters of Interpretation have been receiving offers to purchase their credits, but are hesitant to conduct transactions by mail with private individuals whom they do not know. The possibility of the Clearinghouse and the staff serving in an intermediary role to assure that these sales occur properly was discussed at the 11/26/96 Clearinghouse meeting. A brief discussion ensued regarding what entity would be appropriate to perform this role, with Mr. Proios observing that the staff knows the program better than anyone else, while others would need to learn it.

- Warner / Riverhead: approval of conservation easement; credit purchase procedure
Summary: Ms. Roth briefly discussed the attached proposed conservation easement for the property owned by Mr. Warner along the north side of the Peconic River, south of West Main Street, in Riverhead Town (tax map numbers 600-118-4-5.3, 13, and 14; approximately 30 acres). A Letter of Interpretation for 47.99 PBCs was issued for this property, and Mr. Warner has applied for a PBC Certificate and expressed a desire to then sell the PBCs to the Clearinghouse. She noted that the bulk of the changes to the easement are in the Covenants section. Mr. Milazzo explained that a signed easement has been received from Mr. Warner, and that only Schedule A, a description of the property to be encumbered, remains to be added. Mr. Danowski, representing Mr. Warner, stated that he would work with Mr. Milazzo to provide that.

A motion was made by Mr. Cowen and seconded by Ms. Filmanski to approve the

attached conservation easement for the Warner / Riverhead property described above, and to authorize the Commission Chair or his designated representative to sign the easement. The motion was approved by a 5-0 vote.

Mr. Proios then signed the easement and Ms. Filmanski notarized it. A brief discussion ensued regarding Mr. Grecco's suggestion that a formal real estate closing be held, and that a marked-up title report be produced to serve as a title policy.

- U.S. Colium Corp. / Wildwood: new credit appeal on parcels 900-195.1-2-3,4,6,7
Summary: Mr. Milazzo described this appeal by the U.S. Colium Corp. (see attached letter) of its LOI allocation totalling 0.55 PBC for the above four parcels in Eastport in Southampton Town. The owner is seeking an allocation of 1.00 PBC for each parcel. He explained that an informational search by the Suffolk County Law Department did not show any title problems. It was noted that these parcels' original LOI application was in the name of an individual, and that a new application was later submitted in the name of the corporation which that individual owns.

A motion was made by Mr. Freleng and seconded by Ms. Filmanski to schedule a discussion of the U.S. Colium / Eastport credit appeal allocation at the 12/18/96 Commission meeting. The motion was approved by a 5-0 vote.

Plan implementation

- Clearing reports: status of procedures for follow-up (from 11/18 memo)
Summary: Mr. Corwin reported that Riverhead and Southampton have provided a list of Town personnel to be notified of clearing reports which the Commission office receives from members of the public. Mr. Proios stated that he asked the Suffolk County Parks Department to also provide such a list.
- Quogue Village code amendments: notice of filing
Summary: Ms. Plunkett reported that the Quogue Village code amendments have been filed with the NY Secretary of State, and are now in effect. The amendments incorporate the clearing provision pursuant to the Commission's prior discussions, and were passed by the Village Board on 11/25/96.

Core Preservation Area

- Nassau County Council of Boy Scouts / Wading River / core hardship application for golf course: correspondence received; discussion re decision (due 12/27)
Summary: Mr. Corwin distributed the attached letter from Ms. Karen Weber opposing the construction of a golf course on the Boy Scouts property and urging acquisition. He also noted that the hardship application would be on the 12/18/96 Commission agenda for a decision, since the deadline is 12/27/96. No further discussion was held.
- Bronfeld / Flanders / major subdivision: request for postponement of today's hearing

Summary: Ms. Plunkett explained that the applicant's representative has requested a postponement of today's hearing until February, 1997. She distributed the attached draft resolution which explains the history of the project before the Commission, and grants the requested extension. It was agreed that the newly approved 2/19/97 Commission meeting date would be substituted into it. A brief discussion ensued regarding whether the resolution should be acted on now, or at the scheduled public hearing later today. That decision was deferred until later in the meeting.

Mr. Proios noted that the County's approved purchase list for the Drinking Water Protection Program currently includes only that portion of the project site which is within the core area, but that the proposed additions to that list would include the remaining (i.e., the compatible growth area) portions of the site.

Core Preservation and Compatible Growth Area

- South Rocky Point Acres / Rocky Pt: SC Health referral; discussion (from 10/23)
Summary: Ms. Plunkett summarized this previously discussed referral from the Suffolk County Department of Health Services for a 14.48 acre site south of the old route of NYS Route 25A in Rocky Point, Brookhaven Town. The site now includes property on both sides of the new route of NYS Route 25A, which is south of the old location. The Health Department asked whether the project, a 9 lot subdivision now split by the roadway realignment, requires approval from the Commission.

At the 10/23/96 Commission meeting, the issue was raised as to what portion, if any, of this project site was in the core area. She distributed the attached memorandum regarding these issues, and the discussion focused upon the delineation of the core boundary in this area contained within the pine barrens law.

A motion was made by Mr. Cowen and seconded by Mr. Freleng to clarify the Core Preservation Area boundary, delineated in the NY Environmental Conservation Law Article 57, in the vicinity of the northeastern corner of the NYS Rocky Point Natural Resources Management Area and in the vicinity of NYS Route 25A as follows:

(1) that the wording in the core boundary delineation referring to "Thence generally northward along the easterly boundary of the NYS Rocky Point land, including all adjacent or contiguous undeveloped Town of Brookhaven parks, preserves open space areas, or reserved areas, to NYS Route 25A;" is meant to include those Brookhaven Town lands and then return to the easterly boundary of the NYS Rocky Point Natural Resource Management Area, and,

(2) that the northerly boundary of the Core Preservation Area proceeding westbound in this area is meant to follow the southern boundary of the NYS Department of Transportation right of way for the newly realigned roadway now known as NYS Route 25A, and

(3) that the attached hand-annotated map shows this clarification, and

(4) that the staff is authorized to amend the maps of the Commission to reflect this interpretation, subject to the availability of the necessary base maps from the NYS Department of Transportation.

The motion was approved by a 5-0 vote.

Ms. Wiplush was out of the room during the following item.

Pine Barrens Credit Program

- Schreck / Eastport: credit allocation appeal discussion for parcels 900-215.3-1-53,63
Summary: Mr. Milazzo explained that Mr. Schreck owns the above noted two parcels, each 1.29 acres, located in the core area of Eastport, at the intersection of Inwood Street and Summit Boulevard, which are unimproved streets. The parcels are not adjacent since they are separated by Inwood Street. The LOIs for these allocated 0.21 Pine Barrens Credit (PBC) to each, for a total of 0.42 PBC. Mr. Milazzo distributed the attached memorandum explaining that Mr. Schreck asserted that at the time of purchase, and for a long time after, each property could have been subdivided into three parcels. Mr. Schreck is requesting the minimum allocation of 0.10 PBC for each of the six parcels (a total of 0.60 PBC) into which the two parcels he owned could have been subdivided.

A discussion ensued regarding a prior appeal decision by the Clearinghouse (see same attached item), and the Plan provision regarding allocation of PBCs to a full parcel. A motion was then made by Mr. Cowen and seconded by Ms. Filmanski to deny the Schreck / Eastport credit allocation appeal based upon the prior Gazza decision described in the attached memorandum and upon the Plan provision which allows allocation of PBCs to a full parcel. The motion was approved by a 4-0 vote.

Ms. Wiplush returned at this point.

Core Preservation Area

- Bronfeld / Flanders / major subdivision: request for postponement of today's hearing
Summary: A motion was made by Mr. Freling and seconded by Mr. Cowen to adopt the attached draft resolution on the adjournment of the Bronfeld / Flanders core hardship hearing with the substitution of 2/19/96 as the new hearing date. The motion was approved by a 5-0 vote.

Administrative

- Public comments
Summary: Mr. Proios asked if anyone wished to speak, and no one did.

Executive session

Summary: Mr. Proios stated that the Commission may have additional business in open session following the executive session. **A motion was then made by Mr. Cowen and seconded by Ms. Filmanski to enter into executive session for the purpose of discussing certain legal issues. The motion was approved unanimously.** The Commission entered into executive session at approximately 3:38 pm and returned to open session at approximately 5:15 pm.

Adjournment of regular meeting

Summary: **A motion to adjourn was made by Mr. Cowen and seconded by Mr. Freleng. It was approved by a vote of 5-0.** The meeting ended at approximately 5:15 pm, and the public hearing began.

Public hearing (5:00 pm; postponement was granted earlier in meeting - see above!)

- Bronfeld / Flanders / major subdivision: core hardship hearing continuation
Summary: *A separate stenographic transcript exists for this. This was adjourned to the 2/19/97 Commission meeting.*

Attachments (in order of discussion):

1. Attendance list (1 page)
2. Speaker list (1 page)
3. Draft Commission meeting schedule for Jan - June 1997 (12/4/96; 1 page)
4. Conservation easement for the Warner / Riverhead property (12/4/96; 9 pages)
5. Letter from J. Wightman appealing U.S. Colium Corp. credit allocation (11/22/96; 1 page)
6. Letter from K. Weber re Nas. Cty. Boy Scouts application and property (11/18/96; 1 page)
7. Draft resolution on Bronfeld hearing postponement (12/4/96; 1 page)
8. Memorandum from D. Plunkett re South Rocky Point Acres (12/4/96; 3 pages)
9. Annotated map from memorandum from D. Plunkett re S Rocky Pt Acres (12/4/96; 1 page)
10. Staff report on Schreck credit appeal (10/27/96; 1 page)
11. Memo from J. Milazzo re the Schreck credit appeal (12/4/96; 2 pages)

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Commission members present: Mr. Proios (for Suffolk County), Ms. Wiplush (for Brookhaven), Ms. Filmanski (for Riverhead), Mr. Freleng (for Southampton) and Mr. Cowen (for New York State).

Others present: General counsel was Ms. Roth. Staff members from the Commission and other agencies included Mr. Corwin, Ms. Trezza, Ms. Plunkett, Mr. Milazzo (from the Commission), Mr. Grecco (from the Suffolk County Department of Law and Vice Chair of the Pine Barrens Credit Clearinghouse) and Mr. Spitz (from the NYS Department of Environmental Conservation). Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order at approximately 2:16 pm by Mr. Proios, with a five member quorum.

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Summary: There were no speakers.
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Summary: Ms. Roth suggested one change to the draft 10/2/96 meeting summary: under "1996-97 Fiscal Year Commission-Suffolk Water Contract", the next to last sentence should read, in part: "... to approve the attached contract between the Commission and the SCWA for the 1996-97 fiscal year and to authorize the Chair or his designated representative to execute the contract." **A motion was then made by Ms. Filmanski and seconded by Mr. Freleng to approve the summary of the 10/2/96 meeting with that change. The motion was approved by a 5-0 vote.**

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change. The motion was approved by a 5-0 vote.

Mr. Corwin noted that the 10/23/96 summary will be faxed later this week for review at the 12/18/96 meeting.

- Scheduling: meeting dates and times for January through June 1997

Summary: The attached draft Commission meeting schedule - with dates only -for the first half of 1997 prepared by Ms. Trezza was discussed. It was agreed to adopt it without the 6/25/97 date. **A motion was made by Mr. Freleng and seconded by Ms. Filmanski to adopt the attached meeting schedule with the deletion of the 6/25/97 date. The motion was approved by a 5-0 vote.**

Pine Barrens Credit Program

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Summary: Mr. Milazzo reported that 194 Letters of Interpretation (LOIs) have been issued to date across all three towns, which total 221.8 Pine Barrens Credits (PBCs). This is composed of 146 Brookhaven LOIs totalling 118.97 PBCs, 6 Riverhead LOIs totalling 57.23 PBCs, and 92 Southampton LOIs totalling 45.60 PBCs. He noted that a total of 0.70 PBC is in the form of unredeemed PBC Certificates, all within Southampton Town. These are comprised of 0.30 PBC in the Remsenburg-Speonk School District and 0.40 PBC in the Westhampton Beach School District.

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Summary: Ms. Plunkett reported that the Quogue Village code amendments have been filed with the NY Secretary of State, and are now in effect. The amendments incorporate the clearing provision pursuant to the Commission's prior discussions, and were passed by the Village Board on 11/25/96.

Core Preservation Area

- Nassau County Council of Boy Scouts / Wading River / core hardship application for golf course: correspondence received; discussion re decision (due 12/27)
Summary: Mr. Corwin distributed the attached letter from Ms. Karen Weber opposing the construction of a golf course on the Boy Scouts property and urging acquisition. He also noted that the hardship application would be on the 12/18/96 Commission agenda for a decision, since the deadline is 12/27/96. No further discussion was held.
- Bronfeld / Flanders / major subdivision: request for postponement of today's hearing

Summary: Ms. Plunkett explained that the applicant's representative has requested a postponement of today's hearing until February, 1997. She distributed the attached draft resolution which explains the history of the project before the Commission, and grants the requested extension. It was agreed that the newly approved 2/19/97 Commission meeting date would be substituted into it. A brief discussion ensued regarding whether the resolution should be acted on now, or at the scheduled public hearing later today. That decision was deferred until later in the meeting.

Mr. Proios noted that the County's approved purchase list for the Drinking Water Protection Program currently includes only that portion of the project site which is within the core area, but that the proposed additions to that list would include the remaining (i.e., the compatible growth area) portions of the site.

Core Preservation and Compatible Growth Area

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Summary: Ms. Plunkett summarized this previously discussed referral from the Suffolk County Department of Health Services for a 14.48 acre site south of the old route of NYS Route 25A in Rocky Point, Brookhaven Town. The site now includes property on both sides of the new route of NYS Route 25A, which is south of the old location. The Health Department asked whether the project, a 9 lot subdivision now split by the roadway realignment, requires approval from the Commission.

At the 10/23/96 Commission meeting, the issue was raised as to what portion, if any, of this project site was in the core area. She distributed the attached memorandum regarding these issues, and the discussion focused upon the delineation of the core boundary in this area contained within the pine barrens law.

A motion was made by Mr. Cowen and seconded by Mr. Freling to clarify the Core Preservation Area boundary, delineated in the NY Environmental Conservation Law Article 57, in the vicinity of the northeastern corner of the NYS Rocky Point Natural Resources Management Area and in the vicinity of NYS Route 25A as follows:

(1) that the wording in the core boundary delineation referring to "Thence generally northward along the easterly boundary of the NYS Rocky Point land, including all adjacent or contiguous undeveloped Town of Brookhaven parks, preserves open space areas, or reserved areas, to NYS Route 25A;" is meant to include those Brookhaven Town lands and then return to the easterly boundary of the NYS Rocky Point Natural Resource Management Area, and,

(2) that the northerly boundary of the Core Preservation Area proceeding westbound in this area is meant to follow the southern boundary of the NYS Department of Transportation right of way for the newly realigned roadway now known as NYS Route 25A, and

(3) that the attached hand-annotated map shows this clarification, and

(4) that the staff is authorized to amend the maps of the Commission to reflect this interpretation, subject to the availability of the necessary base maps from the NYS Department of Transportation.

The motion was approved by a 5-0 vote.

Ms. Wiplush was out of the room during the following item.

Pine Barrens Credit Program

- Schreck / Eastport: credit allocation appeal discussion for parcels 900-215.3-1-53,63
Summary: Mr. Milazzo explained that Mr. Schreck owns the above noted two parcels, each 1.29 acres, located in the core area of Eastport, at the intersection of Inwood Street and Summit Boulevard, which are unimproved streets. The parcels are not adjacent since they are separated by Inwood Street. The LOIs for these allocated 0.21 Pine Barrens Credit (PBC) to each, for a total of 0.42 PBC. Mr. Milazzo distributed the attached memorandum explaining that Mr. Schreck asserted that at the time of purchase, and for a long time after, each property could have been subdivided into three parcels. Mr. Schreck is requesting the minimum allocation of 0.10 PBC for each of the six parcels (a total of 0.60 PBC) into which the two parcels he owned could have been subdivided.

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Ms. Wiplush returned at this point.

Core Preservation Area

- Bronfeld / Flanders / major subdivision: request for postponement of today's hearing
Summary: A motion was made by Mr. Frelleng and seconded by Mr. Cowen to adopt the attached draft resolution on the adjournment of the Bronfeld / Flanders core hardship hearing with the substitution of 2/19/96 as the new hearing date. The motion was approved by a 5-0 vote.

Administrative

- Public comments
Summary: Mr. Proios asked if anyone wished to speak, and no one did.

Executive session

Summary: Mr. Proios stated that the Commission may have additional business in open session following the executive session. **A motion was then made by Mr. Cowen and seconded by Ms. Filmanski to enter into executive session for the purpose of discussing certain legal issues. The motion was approved unanimously.** The Commission entered into executive session at approximately 3:38 pm and returned to open session at approximately 5:15 pm.

Adjournment of regular meeting

Summary: **A motion to adjourn was made by Mr. Cowen and seconded by Mr. Freleng. It was approved by a vote of 5-0.** The meeting ended at approximately 5:15 pm, and the public hearing began.

Public hearing (5:00 pm; postponement was granted earlier in meeting - see above!)

- Bronfeld / Flanders / major subdivision: core hardship hearing continuation

Summary: A separate stenographic transcript exists for this. This was adjourned to the 2/19/97 Commission meeting.

Attachments (in order of discussion):

1. Attendance list (1 page)
2. Speaker list (1 page)
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9. Annotated map from memorandum from D. Plunkett re S Rocky Pt Acres (12/4/96; 1 page)
10. Staff report on Schreck credit appeal (10/27/96; 1 page)
11. Memo from J. Milazzo re the Schreck credit appeal (12/4/96; 2 pages)

Date /Time: 12/4/96 2:00pm

[illegible]

Speaker Sign In Sheet

Meeting Place Riverhead Town Hall

[illegible]

12/4/96 ATTACHMENT
(1 page)

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chairman*
Felix J. Grucci Jr., *Vice Chairman*
Vincent Cannuscio, *Member*
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James R. Stark, *Member*

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Please note these are suggested dates and times for the 1997 meeting schedule of the Pine Barrens Commission. All the meetings have been scheduled for Wednesdays at 2:00 p.m. The locations for these meetings will be determined after the dates are agreed upon

Notice of Public Meetings

Notice is hereby given of the following meeting of the Central Pine Barrens Joint Planning and Policy Commission whose offices are located at 3525 Sunrise Highway, Great River, New York 11739. Included are the places, dates, and times of these meetings.

<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
Wed. January 29, 1997	2:00 p.m.	TO BE DETERMINED
Wed. February 19, 1997	2:00 p.m.	TO BE DETERMINED
Wed. March 12, 1997	2:00 p.m.	TO BE DETERMINED
Wed. April 2, 1997	2:00 p.m.	TO BE DETERMINED
Wed. April 23, 1997	2:00 p.m.	TO BE DETERMINED
Wed. May 14, 1997	2:00 p.m.	TO BE DETERMINED
Wed June 4, 1997	2:00 p.m.	TO BE DETERMINED
Wed. June 25, 1997	2:00 p.m.	TO BE DETERMINED

Conservation Easement

THIS INDENTURE, made this ____ day of _____, 1996,

Witnesseth:

WHEREAS, Olin F. Warner, Jr., residing at River Road, Calverton, New York, hereinafter called the Grantor, is the owner in fee simple of certain real property, hereinafter called the "Property," which has ecological, scientific, groundwater recharge, scenic, educational, recreational and aesthetic value (the "Natural Values") in its present state as a natural area which property is described as follows:

See Schedule A

WHEREAS, the Central Pine Barrens Joint Planning and Policy Commission (the "Commission"), with offices at P.O. Box 587, 3525 Sunrise Highway, 2nd Floor, Great River, New York 11739-0587, was created pursuant to the Long Island Pine Barrens Protection Act of 1993 (the "Act") codified in New York Environmental Conservation Law Article 57 ("Article 57"), and is hereinafter described as the "Grantee;" and

WHEREAS, the Central Pine Barrens is a 100,000 acre area within the central and eastern portions of New York's Suffolk County which includes parts of the towns of Brookhaven, Riverhead and Southampton, and which is divided into two areas, the Core Preservation Area (the "Core") and the Compatible Growth Area (the "CGA"), as delineated in Article 57; and

WHEREAS, the Commission adopted the Central Pine Barrens Comprehensive Land Use Plan (the "Plan") which is designed to protect, preserve and enhance the functional integrity of the Pine Barrens ecosystem and its significant natural resources, including plant and animal populations and communities, to protect the quality of surface water and groundwater, discourage piecemeal and scattered development, promote recreational and environmental educational uses that are consistent with the Plan, to accommodate development in a manner consistent with the long term integrity of the Pine Barrens ecosystem, and to ensure that the pattern of development is compact, orderly and efficient; and

WHEREAS, the Plan's goals for the Core include protecting and preserving the ecologic and hydrologic functions of the Central Pine Barrens by preserving the Central Pine Barrens area in its natural state, promoting compatible agricultural, horticultural and open space and certain recreational uses within the framework of maintaining a Pine Barrens environment and minimizing the impact of such activities thereon, prohibiting or redirecting new construction or development, accommodating specific Pine Barrens management practices, and protecting and preserving the quality of surface and groundwaters; and

WHEREAS, this grant of Conservation Easement is made pursuant to Environmental Conservation Law ("ECL"), Title 3, Article 49 or its similar successor statute, and this Conservation Easement is intended to comply with said statute; and

WHEREAS, Grantor and Grantee recognize the ecological, scientific, groundwater recharge, scenic, educational, recreational and aesthetic value of the Property and have the common purpose of conserving the Natural Values of the Property by the conveyance to the Grantee of a Conservation Easement on, over and across the Property which shall conserve the Natural Values of the Property and advance the goals of the Commission pursuant to the Act and the Plan;

NOW, THEREFORE, Grantor, for and in consideration of the facts above and hereinafter recited including, but not limited to, entitlement to receipt of the Pine Barrens Credits pursuant to Grantor's Letters of Interpretation issued on the 11th day of July 1996, and of the mutual covenants, terms, conditions and restrictions herein contained, does hereby give, grant, bargain, sell and convey unto the Grantee, its successors and assigns forever a Conservation Easement in perpetuity over the Property consisting of the following:

1. The right of visual access to and view of the Property in its natural, scenic and open condition.
2. The Grantor's forbearance from taking any of those actions constituting development pursuant to ECL Section 57-0107(13), and the Grantor's forbearance from operations or uses pursuant to ECL Section 57-0107(13)(i-xiii) unless such operations or uses are otherwise expressly reserved herein.
3.
 - a. The right of the Grantee, its respective agents, employees or other representatives, to enforce this Conservation Easement in an action at law or in equity or both.
 - b. The right of the State of New York, the County of Suffolk and the Township in which the Property is situated or their respective agents, employees or other representatives, exercising a third party enforcement right, to enforce this Conservation Easement in an action at law or in equity or both.

Enforcement pursuant to (a) and (b) hereinabove shall not be defeated because of any subsequent adverse possession, laches, estoppel or waiver. Grantee or any party with a third party enforcement right or their respective agents, employees or other representatives shall be permitted access, if necessary, to cross other lands retained by the Grantor, and to enter upon the Property at all reasonable times but solely for the purpose of inspection in order to enforce and assure compliance with the terms and conditions herein contained. Grantee, its agents, employees or other representatives, agree to give Grantor

reasonable advance notice of its intention to enter and inspect the Property, and further such entrance and inspection shall be in a reasonable manner and at reasonable times. Furthermore, Grantor shall provide any third party with enforcement rights, or its agents, representatives or employees, access to cross other lands retained by Grantor, and permission to enter upon the Property, upon receipt of advance notice of such third party's intention to enter and inspect. Such entrance and inspection shall be in a reasonable manner and at reasonable times.

Covenants

In furtherance of the foregoing affirmative rights, the Grantor makes the following covenants, on behalf of himself, his successors, heirs and assigns, lessees, agents, personal representatives and other successors in interest, which covenants shall run with and bind the Property in perpetuity:

1. There shall be no construction activity, alteration of vegetation or change in topography, no development as defined by ECL Section 57-0107(13) and no operations or uses not constituting development pursuant to ECL Section 57-0107(13)(i-xiii), unless otherwise expressly reserved herein.
2. There shall be no storing, dumping, discharging or placing of any substance in or on the Property in contravention of any applicable federal, state or local law or ordinance.
3. No portion of the Property shall be used for purposes of duck farming.
4. Grantor shall maintain adequate liability insurance for the Property and such insurance shall name the Grantee as an additional insured.
5. Indemnification, Environmental Compliance and Third Party Claims.
 - a. Definitions. For the purposes of this Paragraph 4, the following definitions shall apply:
 - (i) The term Hazardous Materials is defined to include, without limitation, any flammable explosives, radioactive materials, hazardous materials, hazardous wastes, hazardous or toxic substances, petroleum, petroleum constituents or related materials defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 United States Code, sections 9601 et seq. and hereinafter "CERCLA"), the Hazardous Materials Transportation Act, as amended (49 United States Code sections 1801 et seq.), the Resource Conservation and Recovery Act of 1976, as

amended (42 United States Code sections 6901 et seq.), or any other federal, state, or local environmental laws, ordinances, rules, or regulations concerning the environment, industrial hygiene or public health or safety now in effect or enacted after this date.

(ii) The term Environmental Laws is defined to include, without limitation, any federal, state, local or administrative agency statute, regulation, rule, ordinance, order or requirement relating to environmental conditions or Hazardous Materials and the common law.

b. Grantor's Indemnity.

Grantor shall hold harmless, indemnify, and defend the Grantee from and against damages, liabilities, claims and expenses, including reasonable attorneys' fees, arising from or in any way connected with injury to or the death of any person, or damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, including liabilities attributable to Hazardous Materials under Environmental Laws, except as such damage, liability, claim or expense is the result of the negligence, gross negligence, or intentional misconduct of the Grantee (it being the intent of this provision to limit Grantor's indemnity to the proportionate part of Grantee's damage, liability, claim or expense for which Grantor is responsible).

c. Environmental Compliance.

Notwithstanding any other provision of this Conservation Easement to the contrary, the parties do not intend and this Conservation Easement shall not be construed such that (1) it creates in the Grantee the obligations or liabilities of an "owner" or "operator" as those words are defined and used in Environmental Laws, including without limitation, CERCLA or (2) it creates in Grantee the obligations or liabilities of a person described in 42 United States Code section 9607(a)(3), or (3) Grantee has the right or duty to investigate and remediate any Hazardous Materials associated with the Property, or (4) Grantee has any control over Grantor's ability to investigate and remediate any Hazardous Materials associated with the Property. Grantor represents, warrants and covenants to Grantee that Grantor's use of the Property shall comply with all Environmental Laws.

d. Third Party Claims.

Grantor shall indemnify and hold Grantee harmless for any liability, costs, attorneys' fees, judgments or expenses to Grantee or any of its officers, employees or agents resulting from actions or claims of any nature by Grantor

or by third parties arising out of the condition of the Property or of Grantee entering into or exercising its rights under this Conservation Easement, excepting any of those matters arising solely from the acts of Grantee, its officers, employees, agents.

Reserved Rights

NEVERTHELESS, and notwithstanding any of the foregoing provisions to the contrary and as expressly limited herein, the Grantor reserves for himself, his heirs, successors and assigns the following reserved rights in addition to all those rights previously retained, reserved and defined herein, which may be exercised without written notice to the Grantee.

1. The right of exclusive possession of the Property.
2. The right to use the Property for passive recreational activities such as, but not limited to, hunting, fishing, camping, hiking and activities associated therewith so long as such activities conform to local zoning regulations and do not constitute development as defined in ECL Section 57-0107(13).
3. Except as expressly limited by paragraph 3 under the Covenants described above, the right to use the Property for any existing, expanded, or new activity involving agriculture or horticulture if such use does not involve the material alteration of native vegetation; the right to use the Property for the erection of agricultural buildings, including but not limited to barns, greenhouses and farm stands, required for the production of plants or animals as reflected under ECL Section 57-0107(14), if such activity does not involve material alteration of native vegetation.
4. The right to use the Property for operations or uses described in ECL Section 57-0107(13) (i, ii and vi), or environmental restoration projects commenced by the Grantor or his heirs, successors or assigns upon approval of any applicable Federal, State or local agency, or any activity authorized under the federal natural gas act (15 U.S.C. Sections 717- 717w), as same may be amended from time to time.
5. The right to sell, give or otherwise convey the Property or, consistent with the Covenants herein, any portion or portions of the Property, subject to the terms of this Conservation Easement. The Grantor, upon the sale, gift or other conveyance of his fee interest in the Property, shall have no further obligations or liabilities under this Conservation Easement. Grantor shall promptly notify Grantee of any conveyance of any interest in the Property, including the full names and mailing addresses of all Grantees, and the individual principals thereof, under any such conveyance. The instrument of any such conveyance

shall specifically set forth that the interest thereby conveyed is subject to this Conservation Easement, without modification or amendment of the terms of this Conservation Easement, and shall incorporate this Conservation Easement by reference, specifically setting forth the date, office, liber and page of the recording thereof. The failure of any such instrument to comply with the provisions hereof shall not affect Grantee's rights hereunder.

Rights of the Public

Nothing contained in this Conservation Easement shall give or grant to the public a right to enter upon or to use the Property or any portion thereof where no such right existed in the public immediately prior to the execution of this Conservation Easement except as may be granted by the Grantor herein or his successors.

Miscellaneous

1. This Conservation Easement contains the entire understanding between its parties concerning its subject matter. Any prior agreement between the parties concerning its subject matter shall be merged into this Conservation Easement and superseded by it.
2. The parties hereto understand and agree that the provisions of Chapter 54 of the Riverhead Town Code, entitled "Unsafe Buildings", shall apply to the Property and that the Town of Riverhead, acting pursuant to Chapter 54 of the Riverhead Town Code, as amended from time to time, may take such action as it deems appropriate in connection with the buildings and structures located on the Property.
3. The parties hereto understand and agree that all the terms and provisions of ECL, Title 3, Article 49, as amended, entitled Conservation Easements, shall apply to this Conservation Easement.
4. Any provision of this Conservation Easement restricting Grantor's activities, which is determined to be invalid or unenforceable by a court, shall not be rendered a nullity. Instead, that provision shall be reduced or limited to whatever extent that the court determines will make it enforceable and effective. Any other provision of this Conservation Easement which is determined to be invalid or unenforceable by a court shall be severed from the other provisions, which shall remain enforceable and effective.
5. Regardless of any contrary rule of construction, no provision or alleged ambiguity of this Conservation Easement shall be construed in favor of one of

the parties because it was drafted by the other party's attorney. If any provision of this Conservation Easement is ambiguous or shall be subject to two or more interpretations, one of which would render that provision invalid, then that provision shall be given such interpretation as would render it valid and consistent with the purposes of this Conservation Easement as intended by Grantor. Any rule of strict construction designed to limit the breadth of the restrictions on use of the Property shall not apply in the construction or interpretation of this Conservation Easement, and, this Conservation Easement shall be interpreted broadly to effect the purposes of this Conservation Easement as intended by Grantor. The parties intend that this Conservation Easement, which is by nature and character primarily negative in that Grantor has restricted and limited Grantor's right to use the Property, except as otherwise recited herein, be construed at all times and by all parties to effectuate its purposes.

6. This Conservation Easement can be terminated only in accordance with the law of the State of New York applicable to the termination of easements and covenants running with the land. This Conservation Easement may be modified only upon the written consent of both Grantor and Grantee, or their successors, heirs, representatives or assigns. Grantor and Grantee recognize that circumstances could arise which would justify the modification of certain of the restrictions contained herein. To this end, Grantee and Grantor shall mutually have the right, in their sole discretion, to agree to amendments to this Conservation Easement which are not inconsistent with the basic purpose of this Conservation Easement, provided, however, that the Grantee shall have no right or power to agree to any amendments hereto which would result in this Conservation Easement failing to qualify as a valid conservation easement under ECL, Title 3, Article 49, as amended.
7. The Grantor agrees that the terms, conditions, restrictions and purposes of this Conservation Easement will continue as a servitude running in perpetuity with the Property and will be incorporated by reference in any subsequent deed or other legal instrument by which the Grantor divests himself of either the fee simple title to or its possessory interest in the Property or any portion thereof specifically setting forth the date, and the liber and page of the Suffolk County Clerk's records of the recording hereof.
8. Any notices required in this Conservation Easement shall be written. Notices shall be given either by manual delivery or by mailing in a mail receptacle maintained by the United States Postal Service. Mailed notices must be contained in an accurately addressed, sealed envelope, marked for delivery by first class registered or certified mail, with sufficient prepaid postage affixed and with return receipt requested. Mailed notice to the Grantor shall be addressed to Grantor's address as recited herein or to any such other address as

the Grantor may designate by notice in accordance with this section. Mailed notice to the Grantee shall be addressed to Grantee's address as recited herein or to any such other address as the Grantee may designate by notice in accordance with this section.

9. It is understood and agreed by the Parties hereto that the Grantor, its successors, heirs and assigns, shall not be liable for any changes to the Property caused by any natural disaster or Act of God.
10. The Grantor and Grantor's lessees, representatives, successors, heirs and assigns, shall not apply to the Commission for a hardship or other permit under the Plan or under ECL Article 57.
11. The Grantor does further covenant and represent that the Grantor is seized of the Property in fee simple and has good right to grant and convey the aforesaid Conservation Easement, that the Property is free and clear of any and all encumbrances, other than those of record, and that the Grantee shall have the use of, and enjoy all of the benefits derived from and arising out of, the aforesaid Conservation Easement.
12. The parties hereto recognize and agree that the benefits of this Conservation Easement are in gross and assignable, and the Grantee hereby covenants and agrees that any transferee or assignee will be an organization or public body qualified to hold a Conservation Easement pursuant to ECL, Title 3, Article 49, as amended, and the regulations promulgated thereunder.
13. All references to statutory provisions of Article 57 shall be as such provisions were in effect on the date of execution of this Conservation Easement.

IN WITNESS WHEREOF, Grantor has executed and delivered and Grantee has accepted and received this Grant of Conservation Easement on the day and year set forth above.

GRANTOR

By: Olin F. Warner Jr.
Olin F. Warner, Jr.


GRANTEE

Central Pine Barrens Joint Planning
and Policy Commission

By: George Proin Acting Chairman
Robert J. Gaffney, Chairman

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

On this 2nd day of DECEMBER 1996, before me personally came Olin F. Warner, Jr., to me known, who being duly sworn, did depose and say that he resides at River Rd., Calverton, New York and is the owner of the premises described and that he executed the foregoing on behalf of the owner pursuant to law duly delegated.

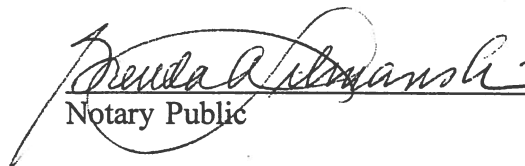

Notary Public

PETER S. DANOWSKI, JR.
Notary Public, State of New York
No. 62-0857995
Qualified in Suffolk County
Term Expires March 30, 1997
legat

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

On this 4th day of December 1996, before me personally came George Proios, to me known, who being duly sworn, did depose and say that he resides at Town of Brookhaven and that he is the Chairman of the Central Pine Barrens Joint Planning & Policy Commission and that he executed the foregoing on behalf of the said Commission pursuant to law duly delegated.

BRENDA A. FILMANSKI
Notary Public, State of New York
No. 4894220, Suffolk County
Commission Expires 5/11/97

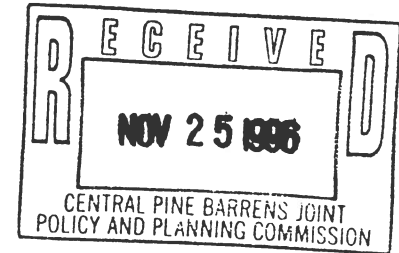

Notary Public

Bagshaw Real Estate

12/4/96 ATTACHMENT
(1 PAGE)

ESTABLISHED 1884

437 EAST MAIN STREET • RIVERHEAD, NEW YORK 11901
TELEPHONE: (516) 727-3713 • FAX: (516) 727-3503



November 22, 1996

Mr. John Milazzo
Central Pine Barrens
Joint Planning and Policy Comm.
PO Box 587
3525 Sunrise Highway, 2nd Floor
Great River, NY 11739-0507

RE: Rabinowitz

Dear John:

This account is now properly listed by the U.S. Colium Corp., which is wholly owned by Rabinowitz.

I, on behalf of the above, request a review/appeal of the assigned credit for this property. We are seeking a more equitable credit designation of 1 to 1 with prices closely reflecting the market at time of issue.

Sincerely,

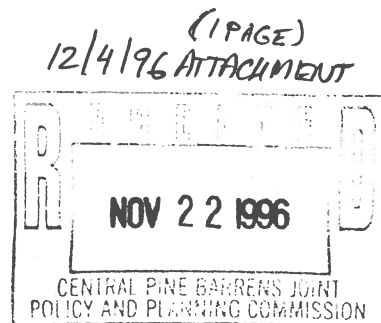
A handwritten signature in dark ink, appearing to be "J. E. Wightman", written over a circular stamp.

James E. Wightman

JEW:sk

Another tel # for me: 283-2686

"Small Enough To Know You, Large Enough To Serve You"



November 18, 1996

Pine Barrens Commission

Dear Sirs:

I am writing to urge you not to give in to the Nassau County Boy Scouts concerning the Wading River 141 acres.

This land should not be bulldozed for a golf course. This would be an environmentally disastrous decision. Our ground water needs protection. That's why we fought for preservation.

The Nassau Boy Scouts are simply greedy. They care nothing about our ground water, nor do they care about the wildlife that abounds in this acreage. They care only for the almighty dollar. This is not what they should be teaching our youth.

I urge approving the take over by the Nature Conservatory to keep this area forever wild.

Yours truly,

Karen Weber
Teacher of Biology
Teacher of Marine Sciences
Wading River Resident

KW:al

185 South Rd.
Wading River, 11792

12/4/96 ATTACHMENT
(1 page)

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chairman*
Felix Grucci Jr., *Vice Chairman*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

Commission Meeting of December 4, 1996

Riverhead Town Hall

Present: Mr. Proios (for Suffolk County), Ms. Wiplush (for Brookhaven), Mr. Freleng (for Southampton), Mr. Cowen (for New York State), Ms. Filmanski (for Town of Riverhead)

Draft Resolution on adjournment of public hearing on the matter of

Benjamin Bronfeld - core preservation area hardship exemption and compatible growth area
critical resource area application

S.C.T.M. 900-166-3-12, 13; 900-166-4-1; 900-167-3-9, p/o 10

Whereas, Benjamin Bronfeld, through his agent, Howard Young, L.S., submitted an application for a cluster subdivision of 133.46 acres into 70 single family lots containing between 25,000 to 52,000 square feet in a CR60 zoning district on land located in the core preservation area and the compatible growth area in Flanders, Town of Southampton on August 23, 1996, and

Whereas, on September 19, 1996 Mr. Young was notified that it was necessary to submit an updated Environmental Assessment Form as well as an application form for development within a Critical Resource Area, and

Whereas, the Commission scheduled and held the required public hearing on the matter for October 23, 1996 in which the Commission requested additional information as to how the project meets the core preservation hardship criteria, and

Whereas, the public hearing was held open by the Commission until November 13, 1996 in order to hear the applicant's presentation of said additional material, and

Whereas, Mr. Young requested an adjournment of said hearing until December 4, 1996, and

Whereas, pursuant to a letter dated December 2, 1996, Mr. Young requested an additional adjournment of the public hearing until the Commission meeting in February 1997 for the purpose of preparing the required additional information and application materials, and

Whereas, the Commission cannot undertake the SEQR coordination process until all requested information has been submitted, now therefore be it

Resolved that the Commission hereby grants the requested extension however noting that the decision deadline for this application cannot be determined until the SEQR process commences and the Commission looks forward to receipt of said additional material for the expeditious handling of the subject application.

Record of Motion:

Motion by

Seconded by

Yea Votes:

12/4/96 ATTACHMENT
(3 pages)


Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

MEMORANDUM

TO: Commissioners/Alternates

FROM: Donna J. Plunkett, R.L.A. 
Commission Staff

RE: South Rocky Point Acres

DATE: December 4, 1996

At your meeting of October 23, 1996, I explained that a referral from the Suffolk County Department of Health Services had come in for a request as to whether the above noted subdivision required your approval. The map was originally nine lots on 14.48 acres. The property was subsequently split by the re-alignment of NYS 25A. A question arose as to the location of the core boundary in this area and whether the subject property was in the core or the cga.

Attached you will find a copy of the boundary description for this area as well as a map that shows the approximate location of the new 25A. If you follow the last course in section 26 and the first course in section 27, you will see that the new core boundary follows the southern edge of 25A as shown dotted on the map. The end result is that the northern portion of the subject map is in the cga. The southern portion is in the core (7 lots), however is exempt from the statute as the preliminary approval was attained prior to June 1, 1993 and the lots do meet the current zoning of A1.

attachments (2)

cc: Doris E. Roth, Esq.

Core Preservation Area Boundary Definition

River school district property;

Thence southward, westward, and northward along the easterly, southerly, and westerly boundaries of the Shoreham-Wading River school district property to NYS Route 25A;

Thence westward along the southerly side of NYS Route 25A to County Route 46;

Thence southward along the easterly side of County Route 46 to its intersection with the Suffolk County Pine Trail Nature Preserve;

26. NYS Pine Trail Preserve to NYS Land, Then N to Rt 25A

Thence westward along the northerly boundary of the Suffolk County Pine Trail Nature Preserve where the Preserve is adjacent to developed parcels or parcels in agricultural or horticultural use, or along a line parallel to, and 100 (one hundred) feet north of, the Preserve where the Preserve is adjacent to parcels which are undeveloped as of June 1, 1993, to the southeastern corner of the parcel west of Woodlots Road and identified as District 200, Section 291, Block 1, Lot 14.1;

Thence northward and westward along the easterly and northerly boundaries of that parcel to Whiskey Road;

Thence westward along the southerly side of Whiskey Road to Wading River Hollow Road;

Thence northward along the westerly side of Wading River Hollow Road to the boundary of the NYS Rocky Point Land;

Thence generally northward along the easterly boundary of the NYS Rocky Point Land, including all adjacent or contiguous undeveloped Town of Brookhaven parks, preserves, open space areas, or reserved areas, to NYS Route 25A;

27. NYS Route 25A to Starting Point

Thence westward along the southerly side of NYS Route 25A, excluding those parcels abutting that road which are developed as of June 1, 1993, and those lands identified for the reroute of Route 25A by the NYS Department of Transportation,¹⁵⁴ to the northeastern corner of the parcel identified as District 200, Section 102, Block 3, Lot 1.4;

Thence southward along the westerly boundary of that parcel to the parcel identified as District 200, Section 102, Block 3, Lot 1.6;

Thence generally westward and southward along the westerly boundaries of that parcel and the adjoining southerly parcel identified as District 200, Section 102, Block 3, Lot 1.5 to the boundary of the NYS Rocky Point Land;

Thence westward along the northerly boundary of the NYS Rocky Point Land to County Route 21;

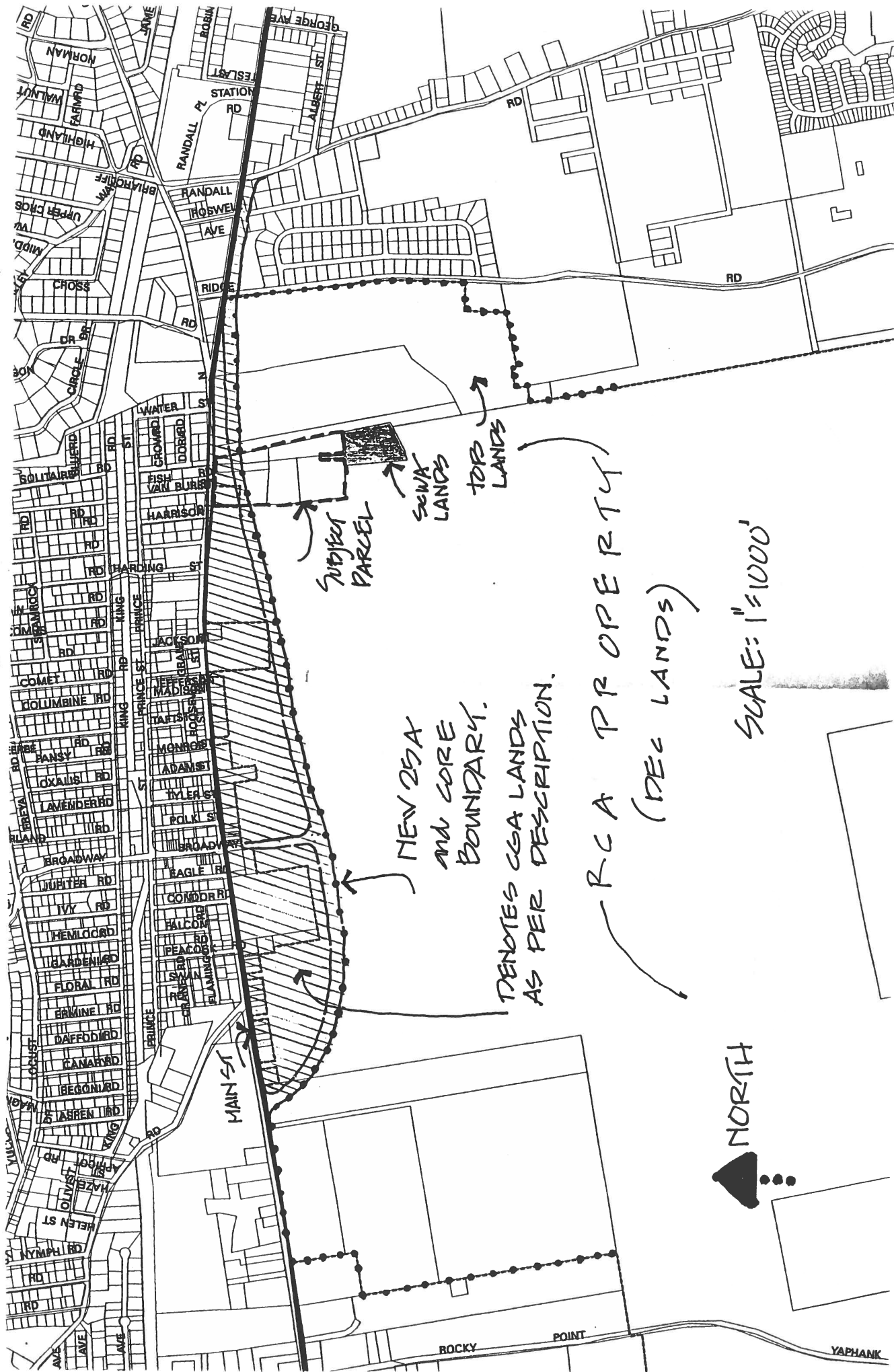
Thence generally westward along a straight line across County Route 21 to the northernmost extent along County Route 21 of the NYS Rocky Point Land;

Thence generally westward along the generally northerly boundary of the NYS Rocky Point Land to the point or place of beginning, and

28. Exclusion Polygon for Residences N/o Brookhaven Lab

Excluding the area defined as beginning at a point where the southerly boundary of NYS Route 25 meets the easterly side of the Suffolk County Pine Trail Nature Preserve;

¹⁵⁴ See Route 25A Reconstruction Echo Avenue to William Floyd Parkway Town of Brookhaven: Final Design Report / Final Environmental Impact Statement, June 1992, NYS Department of Transportation Region 10 Offices, Hauppauge, NY.



SUBJECT PARCEL

SWAN LANDS

TOP LANDS

NEW 25A AND CORE BOUNDARY.

DENOTES CGA LANDS AS PER DESCRIPTION.

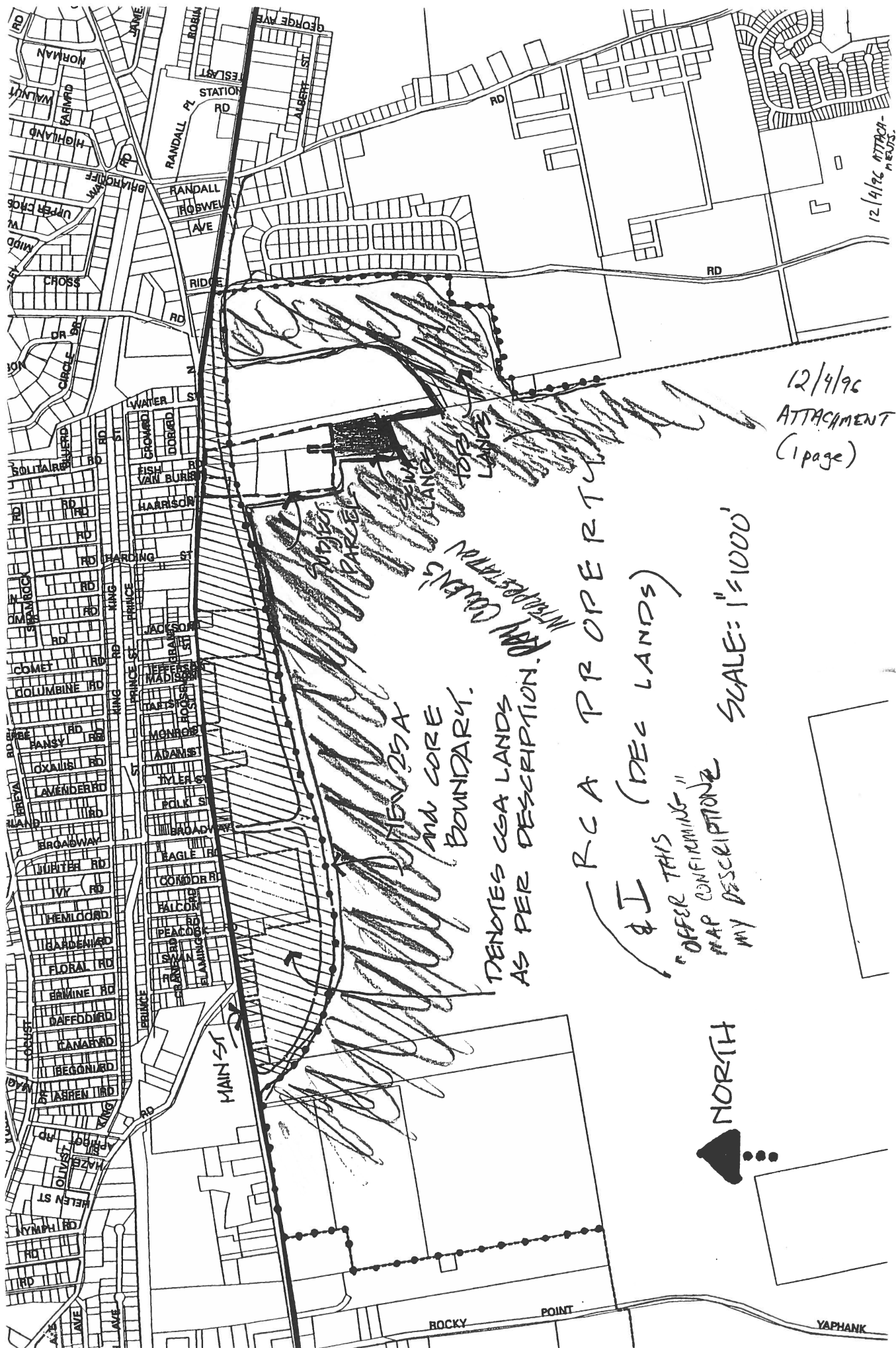
RCA PROPERTY (DEC LANDS)

NORTH



SCALE = 1" = 1000'

YAPHANK



12/4/96
ATTACHMENT
(1 page)

SCALE = 1"=1000'



RCA PROPERTY
& I (DEC LANDS)

DENOTES CSA LANDS
AND CORE BOUNDARY.
AS PER DESCRIPTION.

"OFFER THIS
MAP CONFIRMING"
MY DESCRIPTION

12/4/96 ATTACH-
MENTS

YAPHANK

ROCKY POINT

12/4/96 ATTACHMENT
(1 page)

CREDIT APPLICATION STAFF REPORT

Issue Date: 10/27/96

Item	Tax Map Numbers:
	900-215.03-1-53, 63 (<i>across paper road</i>)
Applicant Name	Eugene J. Schreck
Location/Access	North of Sunrise Highway, west of Summit Blvd., Property has access Inwood Street, a paper road. Summit Blvd. in this vicinity is cleared, however not improved. This old filed map is located south of Hampton Hills Golf Club.
Hagstrom Map #	Map 23, N-30
Aerial #	Not available at this time.
Acreage	1.29 acres each.
Topography/Geologic Features	Moderately steep, morainal slopes, approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - scrub oak barrens as per Town of Southampton WGEIS.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Comments	

12/4/96 ATTACHMENT
(2 pages)

Central Pine Barrens Joint Planning and Policy Commission

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Great River, New York 11739-0587
516-563-0385 / Fax 516-277-4097

Memorandum

TO: Commission Members, Alternates and Counsel
FROM: John C. Milazzo
RE: Schreck Letter of Interpretation Appeals for tax map parcels 900-215.3-1-53; 63
DATE: December 4, 1996

Mr. Schreck is appealing two Letters of Interpretation issued on October 29, 1996 to two parcels he owns in the Town of Southampton. Each parcel consists of 1.29 acres. The parcels are the north and south corner parcels at the western intersection of the unimproved Inwood Street and the unimproved Summit Boulevard. The Clearinghouse applied the development yield factor as per the Plan provisions which yielded an allocation of 0.2064 or 0.21 Pine Barrens Credits per parcel.

By a letter dated November 11, 1996, received on November 13, 1996 and distributed at your last meeting, Mr. Schreck states that "at the time [he] purchased the properties . . . and for a long time thereafter" he could have subdivided the each parcel into 3 parcels because the zoning in the area was 1/3 acre. If he had pursued this action he would own six parcels, each of which would qualify for the minimum allocation of 0.10 per parcel. He is requesting a Credit allocation as if he had subdivided the parcels. Pursuant to the Plan, the Commission has sixty days from receipt of the appeal to decide the matter. The decision deadline is January 13, 1997.

When considering this argument several items should be addressed. First, Section 6.3.1 of the Plan states that "for the purpose of computing the allocation of Pine Barrens Credits, a parcel of land is defined as a separately assessed tax lot." The language of the section prohibits the allocation of credits to portions of a whole tax parcel. Second, these parcels are located to the **north** of a 1.33 acre parcel owned by Joseph Gazza and thus similarly remote from existing improved roads. Mr. Gazza appealed the allocation of 0.24 Pine Barrens Credits to the parcel seeking one (1) PBC. Mr. Gazza claimed that the parcel enjoyed "single and separate status" and that a well and septic system could be configured on the parcel pursuant to Article 6 of the Sanitary Code. The Clearinghouse, in an appeal decision dated September 30, 1996, denied Mr. Gazza's request. The Clearinghouse rested its decision on the unique features of the parcel. The

Clearinghouse stated,

[a]mong a parcel's unique features is the development potential of a parcel, its proximity to an improved road and its compliance with Article 6. While the [subject] parcel may comply with Article 6, its extreme remoteness leads to the conclusion that the initial allocation is correct.

(Appeal Decision, September 30, 1996 at 2).

Based upon the similarity of this application with the above mentioned Gazza appeal, it would be consistent to not increase the allocation to these parcels.

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Commission Agenda (DRAFT) for December 18, 1996 Quogue Wildlife Refuge, Old Country Road, Quogue Village / 2:00 pm

(If you are missing items listed as faxed or distributed, please call before the meeting date!)

1. Administrative

- Public comments *(please sign Speaker Sheet)*
- Draft summaries for 10/23 and 12/4 meetings: review and approval *(faxed)*

2. Pine Barrens Credit Program

- Status of applications *(Clearinghouse has not met since last Commission meeting)*
- Warner / Riverhead: credit purchase status
- U.S. Colium Corp. / Eastport: appeal discussion for parcels 900-195.1-2-3,4,6,7
- Peconic Land Trust: summary of discussions; pending proposal paper

3. Plan implementation

- Protected Lands Council: projects; recent briefing for SC Legis Parks Committee
- Proposed educational program

4. Core Preservation Area

- Nassau County Council of Boy Scouts / Wading River / core hardship application for golf course: decision *(due 12/27)*

5. Executive Session (if needed)

There are no public hearings today.

Next Commission meeting: 1/8/97, 2:00 pm, Riverhead Town Hall, East Main St & Howell Ave

Next PB Credit Clearinghouse meeting: 1/6/97, 3:00 pm, Commission office, 3525 Sunrise Hwy, Great River

Directions to Quogue Wildlife Refuge:

From Riverhead, take Country Route 104 south from the Peconic Avenue traffic circle;

From Sunrise Highway, take Exit 64 South, onto County Route 104 southbound.

Proceed south on County Route 104 towards Quogue, and turn west (right) onto Old Country Road (if you pass the railroad tracks, you went too far). Approximately 1.5 miles ahead, there is Refuge parking on both sides of Old Country Road. The meeting is in the Nature Center and Office building.

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Commission Meeting Summary (DRAFT) for December 18, 1996 (To be approved) Quogue Wildlife Refuge, Old Country Road, Quogue Village / 2:00 pm

Commission members present: Mr. Proios (for Suffolk County), Mr. Girandola (for Brookhaven; present at the time indicated), Ms. Filmanski (for Riverhead), Mr. Freleng (for Southampton) and Mr. Cowen (for New York State).

Others present: General counsel was Mr. Rigano. Staff members from the Commission and other agencies included Mr. Corwin, Ms. Trezza, Ms. Plunkett, and Mr. Milazzo (from the Commission), and Mr. Spitz (from the NYS Department of Environmental Conservation). Additional attendees are shown on the attached sign-in sheet.

The meeting was called to order at approximately 2:25 pm by Mr. Proios, with a four member quorum consisting of Mr. Proios, Ms. Filmanski, Mr. Freleng, and Mr. Cowen.

Administrative

- Public comments
Summary: Mr. Amper, representing the Long Island Pine Barrens Society, complimented the New York State Department of Environmental Conservation (NYS DEC), and Mr. Cowen as Regional Director for NYS DEC Region 1, for the quick and successful negotiation of an agreement with the Nassau County Council of Boy Scouts for the purchase of a portion of the Scouts' Wading River holdings.
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program", the last sentence of the first paragraph should read, in part: "... will provide \$15 million over three years for land protection, not restricted to pine barrens land." **A motion was then made by Ms. Filmanski and seconded by Mr. Freleng to approve the summary of the 10/23/96 meeting with these changes. The motion was approved by a 4-0 vote.**

A motion was then made by Mr. Cowen and seconded by Ms. Filmanski to approve the summary of the 12/4/96 meeting as drafted. The motion was approved by a 4-0 vote.

Pine Barrens Credit (PBC) Program

- Status of applications (*Clearinghouse has not met since last Commission meeting*)
- Warner / Riverhead: credit purchase status

Summary: Mr. Milazzo stated that the summary statistics for the Clearinghouse's activities have not changed since the last Commission meeting, since no Clearinghouse meeting has occurred since then. He noted that the final delineation of the area on Mr. Warner's Riverhead core property which is to include the existing residence is being worked on by Mr. Warner's attorney and Commission counsel. It will be attached to the conservation easement as Schedule A. A brief discussion ensued regarding the size of the area around the existing house to be excluded, and how the original allocation calculation accounted for that residence. It was noted that the Suffolk County Treasurer has placed the necessary funds for the purchase of these credits into a separate money market account in anticipation of the closing. A formal closing on the purchase of those credits will be held in January 1997; the closing date will be held then at the request of Mr. Warner. Mr. Cowen asked whether the allocation process subtracted one PBC for the home, and Mr. Milazzo said that it did.

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Summary: Mr. Milazzo summarized this allocation appeal for four parcels owned by U.S. Colium Corp. (See the attached Letters of Interpretation and the staff report.) The total size of the four parcels is 3.06 acres, and their total allocation is 0.55 PBC. Mr. Milazzo explained that the original application was under Mr. Rabinowitz' name, and it was replaced by the current application after an informational search by the County showed that the title was in the name of the U.S. Colium Corp.

Mr. Wightman, representing the owner, was present and stated that the parcels were unsaleable now due to the road construction pattern and the pine barrens law, and that they had been unsaleable for some time prior to the pine barrens law. He expressed the opinion that the options included not paying taxes anymore, giving the land away, or using credits. He stated that the 0.55 PBC allocation is unfair, because the owner would receive \$1700 if the credits were sold to the Clearinghouse, and that taxes would still be paid.

Mr. Corwin asked what new PBC allocation is requested, and Mr. Wightman replied that the Commission should work back from a total PBC value of \$15,000, and allocate the number of PBCs needed to attain that value. A brief discussion ensued regarding

the applicant's ability to recoup taxes for prior years. Mr. Milazzo noted that a decision could be put off until the next meeting. A discussion also ensued regarding the presence of a home on a nearby lot fronting on County Route 104. Mr. Milazzo explained that a hardship application could be filed for the U.S. Colium Corp. lots.

A motion was then made by Mr. Cowen and seconded by Mr. Freling to deny the U.S. Colium Corp.'s credit allocation appeal, and to uphold the original total allocation of 0.55 PBC for the four lots. The motion was approved by a 4-0 vote.

Mr. Girandola arrived during the following, and a five member quorum was present from this point.

- Peconic Land Trust: summary of discussions; pending proposal paper

Summary: Mr. Corwin reported that the Commission staff have met twice with the Peconic Land Trust staff regarding the Trust's interest in being the grantee for conservation easements issued under the Pine Barrens Credit Program. Mr. Halsey, President of the Trust, has discussed this with his Board of Directors, and they have expressed strong interest.

During the last meeting between the Commission and Trust staff, it was agreed that the Trust would formulate a draft written proposal covering four areas: (1) being the grantee for, and providing stewardship and monitoring services for, the conservation easements, (2) providing professional advice on the formulation and execution of customized easements for PBC Program participants, (3) providing access to the Trust's professional estate and real property and income tax planning knowledge for PBC participants whose situation may qualify for a tax benefit, and (4) providing the Commission with professional mapping, at an appropriate physical scale, of the properties in the PBC Program. Mr. Corwin noted that the Trust may propose a set of sample projects, including, for example, an old filed map where some of the parcels are in the PBC Program.

In the discussion which followed, Mr. Girandola asked whether counsel thought that the Commission could use a private entity such as the Trust to hold the easements, and Mr. Rigano replied that he thought that it could. Mr. Corwin reported that the Trust expects to have a proposal to the Commission at the beginning of January.

Plan implementation

- Protected Lands Council: projects; recent briefing for SC Legis Parks Committee

Summary: Mr. Corwin summarized the recent work of the Protected Lands Council in identifying field access points for public lands in the pine barrens which have management problems and which currently affect more than one public landowner. He explained that the immediate goal was to identify one or two specific field projects which the Council's member organizations could undertake (e.g., rebuilding a trailhead and parking access site which serves more than one landowner's property).

He also distributed and discussed the attached letter to Commissioner Frank of the

Suffolk County Parks Department, and the recent visit by himself and Commissioner Frank to the Suffolk County Legislature's Parks and Public Works Committee on 12/12/96 (the cover page of the Committee agenda is also attached) to discuss the interagency Protected Lands and Law Enforcement Councils' work, as well as the Wildfire Task Force's work. Mr. Corwin noted that the possibility of the County appropriating a portion of the recently approved Drinking Water Protection Program park management funds to such interagency work was raised with the Committee, and the response appeared to him to be favorable.

Mr. Cowen then described a recent meeting discussing the restrictions on uses of the County's Drinking Water Protection Program lands. The meeting (on 12/2/96) was attended by Mr. Cowen and Mr. Hamilton of the NYS DEC, Mr. Cimino (the County Attorney), Mr. Dragotta (of the County Attorney's office), and Mr. Corwin. Mr. Cowen explained that the meeting touched upon the interpretation of language in County laws and the County Nature Preserve Handbook, and the meaning of "forever wild". Research is being undertaken, and the situation may be clarified for future acquisitions. The restrictions on the use of already-completed acquisitions under the Drinking Water Protection Program would not necessarily be affected by any new regulations or language, however. Mr. Proios commented that both the State and County laws must be considered. Mr. Amper observed that the best approach might be to simply specify in advance which parcels are appropriate for which uses.

- Proposed educational program

Summary: Ms. Plunkett described a proposal to the Commission for holding one or two environmental education sessions per year for school children and their teachers, perhaps using facilities such as the Quogue Wildlife Refuge. She proposed that the first session could be held in early Spring 1997. Mr. Cowen suggested that Ms. Plunkett and the staff work closely with Ms. Cathy Shigo of the NYS DEC Region 1 office, and with the State Forest Rangers.

Mr. Dittmer, representing the Civil Property Rights organization, stated that programs such as those discussed today take money away from the purchase of core area property. Mr. Cowen stated that the administrative and acquisition funds come from different sources. Mr. Corwin observed that the Commission staff allocates as much time as necessary to support the acquisition and development rights transfer programs, including processing applications for Letters of Interpretation and PBC Certificates, and providing data and maps to the land acquisition agencies. It was also noted that the Commission also has responsibilities such as education, and that it could consider partnerships in environmental education with interested private organizations.

- Pine Barrens Reference Library (not on the original agenda)

Summary: Mr. Corwin distributed the attached fact sheet and described the contents and purpose of the Pine Barrens Reference Library which has been established at the Commission office. He noted that the Library is intended to both encourage pine barrens-related research and make the Commission's documentary material easily available to the public.

Core Preservation Area

- Nassau County Council of Boy Scouts / Wading River / hardship application for golf course: correspondence from applicant's representative (*application decision currently 12/27/96*)

Summary: Mr. Rigano explained that two letters (both attached) were received at different times yesterday from Mr. Cangemi, representing the Nassau County Council of Boy Scouts, regarding the Scouts' core area hardship exemption application. Mr. Rigano recommended that the Commission deny the first letter's proposal, and accept the second letter's proposal, which is to extend the decision deadline to 3/15/97 in order to permit the completion of the sale of the property to the State.

A motion was made by Ms. Filmanski and seconded by Mr. Cowen (1) to deny the first request (attached) dated 12/17/96 from Mr. Cangemi and received at the Commission office on 12/17/96 with the fax banner time of 11:57 am, and (2) to accept and approve the extension of the decision deadline to 3/15/97 for the Nassau County Council of Boy Scouts' application for a Core Preservation Area hardship permit as described in the second letter (also attached) from Mr. Cangemi also dated 12/17/96 and received in the Commission office on 12/17/96 with the fax banner time of 1:21 pm. The motion was approved by a 5-0 vote.

Executive session

Summary: Mr. Proios noted that an executive session is needed, and that there will not be any further business in open session today following the executive session. **A motion was then made by Ms. Filmanski and seconded by Mr. Cowen to enter into executive session for the purpose of discussing certain legal issues. The motion was approved by a vote of 4-0, with Mr. Freleng temporarily out of the room during the vote. The Commission entered into executive session at approximately 3:58 pm. A motion was later made by Ms. Filmanski and seconded by Mr. Girandola to exit executive session and to adjourn the meeting. The motion was approved by a 5-0 vote, and the meeting ended at approximately 4:38 pm.**

Attachments (in order of discussion):

1. Attendance list (1 page)
2. Speaker list (1 page)
3. Letters of Interpretation for U.S. Colium Corp. (11/6/96; 8 pages)
4. Staff report re U.S. Colium Corp. credit appeal (12/27/96; 1 page)
5. Letter from R. Corwin to M. Frank re Protected Lands Council work (11/29/96; 2 pages)
6. Partial agenda from 12/12/96 SC Legis. Parks and Public Works Comm. meeting (1 page)
7. Pine Barrens Research Library Fact Sheet (Dec. 1996; 2 pages)
8. First letter from A. Cangemi re withdrawal Boy Scouts' application (12/17/96; 2 pages)
9. Second letter from A. Cangemi re extension of Boy Scouts' decision (12/17/96; 2 pages)

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Summary: Mr. Proios noted that an executive session is needed, and that there will not be any further business in open session today following the executive session. **A motion was then made by Ms. Filmanski and seconded by Mr. Cowen to enter into executive session for the purpose of discussing certain legal issues. The motion was approved by a vote of 4-0, with Mr. Freleng temporarily out of the room during the vote. The Commission entered into executive session at approximately 3:58 pm. A motion was later made by Ms. Filmanski and seconded by Mr. Girandola to exit executive session and to adjourn the meeting. The motion was approved by a 5-0 vote, and the meeting ended at approximately 4:38 pm.**

Attachments (in order of discussion):

1. Attendance list (1 page)
2. Speaker list (1 page)
3. Letters of Interpretation for U.S. Colium Corp. (11/6/96; 8 pages)
4. Staff report re U.S. Colium Corp. credit appeal (12/27/96; 1 page)
5. Letter from R. Corwin to M. Frank re Protected Lands Council work (11/29/96; 2 pages)
6. Partial agenda from 12/12/96 SC Legis. Parks and Public Works Comm. meeting (1 page)
7. Pine Barrens Research Library Fact Sheet (Dec. 1996; 2 pages)
8. First letter from A. Cangemi re withdrawal Boy Scouts' application (12/17/96; 2 pages)
9. Second letter from A. Cangemi re extension of Boy Scouts' decision (12/17/96; 2 pages)

[illegible]

Speaker Sign In Sheet

Meeting Place Quogue Wildlife Refuge

[illegible]

12/18/96 Commission meeting
Summary Attachment (8 pages)

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
ALLAN GRECCO, ESQ., *VICE CHAIRMAN*
ANDREW P. FRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

FILE COPY

LETTER OF INTERPRETATION

Re: Suffolk County Tax Map Number 900-195.2-2-3

Applicant: U.S. Colium Corporation

Date: November 6, 1996

Findings of Fact

The above-referenced 0.72 acre parcel is owned by the applicants pursuant to a deed recorded at Liber 5079 and Page 565. The parcel is in the Town of Southampton. It was zoned Country Residence 200 at the adoption of the *Central Pine Barrens Comprehensive Land Use Plan* (the "*Plan*") on June 28, 1995. Pursuant to the *Plan*, the applicants are requesting a Letter of Interpretation concerning the number of Pine Barrens Credits which are allocated to this lot.

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 Town of Southampton zoned Country Residence 200, 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, 0.1152 Pine Barrens Credits may be allocated to this parcel. There are no known conditions on the parcel which would reduce the allocation of Pine Barrens Credits pursuant to Section 6.3.4 of the *Plan*. However, the principals of U.S. Colium Corporation applied and received a Letter of Interpretation dated March 8, 1996 for this parcel for 0.13 Pine Barrens Credit. The Clearinghouse elects to allocate the same number of Pine Barrens Credits as in that Letter.

The total number of Pine Barrens Credits allocated for this parcel is 0.13.

Letter of Interpretation for SCTM # 900-195.2-2-3
November 6, 1996
Page Two

This Letter of Interpretation replaces and renders null and void all other Letters of Interpretation issued to this parcel.

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 grantor 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 may schedule a hearing.

cc: Mr. Robert Duffy, Town Planning and Development Administrator

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
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JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

FILE COPY

LETTER OF INTERPRETATION

Re: Suffolk County Tax Map Number 900-195.2-2-4

Applicant: U.S. Colium Corporation

Date: November 6, 1996

Findings of Fact

The above-referenced 0.91 acre parcel is owned by the applicants pursuant to a deed recorded at Liber 5079 and Page 565. The parcel is in the Town of Southampton. It was zoned Country Residence 200 at the adoption of the *Central Pine Barrens Comprehensive Land Use Plan* (the "*Plan*") on June 28, 1995. Pursuant to the *Plan*, the applicants are requesting a Letter of Interpretation concerning the number of Pine Barrens Credits which are allocated to this lot.

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 Town of Southampton zoned Country Residence 200, 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, 0.1456 Pine Barrens Credits may be allocated to this parcel. There are no known conditions on the parcel which would reduce the allocation of Pine Barrens Credits pursuant to Section 6.3.4 of the *Plan*. However, the principals of U.S. Colium Corporation applied and received a Letter of Interpretation dated March 8, 1996 for this parcel for 0.16 Pine Barrens Credit. The Clearinghouse elects to allocate the same number of Pine Barrens Credits as in that Letter.

The total number of Pine Barrens Credits allocated for this parcel is 0.16.

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

Letter of Interpretation for SCTM # 900-195.2-2-4
November 6, 1996
Page Two

This Letter of Interpretation replaces and renders null and void all other Letters of Interpretation issued to this parcel.

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 grantor 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 may schedule a hearing.

cc: Mr. Robert Duffy, Town Planning and Development Administrator

PINE BARRENS CREDIT CLEARINGHOUSE

FILE COPY

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
ALLAN GRECCO, ESQ., *VICE CHAIRMAN*
ANDREW P. FRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

LETTER OF INTERPRETATION

Re: Suffolk County Tax Map Number 900-195.2-2-6

Applicant: U.S. Colium Corporation

Date: November 6, 1996

Findings of Fact

The above-referenced 0.72 acre parcel is owned by the applicants pursuant to a deed recorded at Liber 5079 and Page 565. The parcel is in the Town of Southampton. It was zoned Country Residence 200 at the adoption of the *Central Pine Barrens Comprehensive Land Use Plan* (the "*Plan*") on June 28, 1995. Pursuant to the *Plan*, the applicants are requesting a Letter of Interpretation concerning the number of Pine Barrens Credits which are allocated to this lot.

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 Town of Southampton zoned Country Residence 200, 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, 0.1152 Pine Barrens Credits may be allocated to this parcel. There are no known conditions on the parcel which would reduce the allocation of Pine Barrens Credits pursuant to Section 6.3.4 of the *Plan*. However, the principals of U.S. Colium Corporation applied and received a Letter of Interpretation dated March 8, 1996 for this parcel for 0.13 Pine Barrens Credit. The Clearinghouse elects to allocate the same number of Pine Barrens Credits as in that Letter.

The total number of Pine Barrens Credits allocated for this parcel is 0.13.

Letter of Interpretation for SCTM # 900-195.2-2-6
November 6, 1996
Page Two

This Letter of Interpretation replaces and renders null and void all other Letters of Interpretation issued to this parcel.

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 grantor 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 may schedule a hearing.

cc: Mr. Robert Duffy, Town Planning and Development Administrator

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
ALLAN GRECCO, ESQ., *VICE CHAIRMAN*
ANDREW P. FRELENG, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

FILE COPY

LETTER OF INTERPRETATION

Re: Suffolk County Tax Map Number 900-195.2-2-7

Applicant: U.S. Colium Corporation

Date: November 6, 1996

Findings of Fact

The above-referenced 0.71 acre parcel is owned by the applicants pursuant to a deed recorded at Liber 5079 and Page 565. The parcel is in the Town of Southampton. It was zoned Country Residence 200 at the adoption of the *Central Pine Barrens Comprehensive Land Use Plan* (the "*Plan*") on June 28, 1995. Pursuant to the *Plan*, the applicants are requesting a Letter of Interpretation concerning the number of Pine Barrens Credits which are allocated to this lot.

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 Town of Southampton zoned Country Residence 200, 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, 0.1136 Pine Barrens Credits may be allocated to this parcel. There are no known conditions on the parcel which would reduce the allocation of Pine Barrens Credits pursuant to Section 6.3.4 of the *Plan*. However, the principals of U.S. Colium Corporation applied and received a Letter of Interpretation dated March 8, 1996 for this parcel for 0.13 Pine Barrens Credit. The Clearinghouse elects to allocate the same number of Pine Barrens Credits as in that Letter.

The total number of Pine Barrens Credits allocated for this parcel is 0.13.

Letter of Interpretation for SCTM # 900-195.2-2-7
November 6, 1996
Page Two

This Letter of Interpretation replaces and renders null and void all other Letters of Interpretation issued to this parcel.

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 grantor 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 may schedule a hearing.

cc: Mr. Robert Duffy, Town Planning and Development Administrator

CREDIT APPLICATION STAFF REPORT

Issue Date: 12/27/96

12/18/96 Commission
Mtg. attachment
(1 page)
FILE COPY

Item	Tax Map Numbers:
	900-195.02-2-3, 4, 6, 7
Applicant Name	Arthur Rabinowitz
Location/Access	South of CR 104, north of Sunrise Highway between exits 63 and 64, Oakville, Town of Southampton. Parcel 3 has frontage on Old Quogue Road, which is opened but not improved. The other lots have access from unimproved paper streets.
Hagstrom Map #	Map 23, O-32
Aerial #	Not available at this time.
Acreage	.72, .91, .72 and .71 respectively, 3.06 acres total
Topography/Geologic Features	Relatively flat, approximately 100' above mean sea level.
Soils (SC Soil Survey)	CpA (Carver and Plymouth sands, 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch Pine - Oak/Heath Woodland.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	Vacant
Zoning	CR200 Residence. Minimum lot area 200,000 square feet.
School District	Riverhead
Public Water	No
Public Sewer	No
Fire/Police District	Flanders
Comments	

12/18/96 Commission meeting
Summary attachment
(2 pages)

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

November 29, 1996

Mr. Michael Frank
Commissioner, Suffolk County Department of Parks, Recreation and Conservation, and
Co-Chair, Pine Barrens Protected Lands Council
P.O. Box 144
West Sayville, NY 11796-0144

Dear Commissioner Frank:

As the members of the Central Pine Barrens Protected Lands Council discussed at their November 6, 1996 meeting, both the Protected Lands Council and the Law Enforcement Council are now actively addressing specific field management topics of interagency concern.

The Protected Lands Council, for example, is starting to specify those parking and access points within the Core Preservation Area which serve multiple governmental owners, and where an "interagency" access point (parking, signs, barriers, etc.) would be both logical and economical. They are also identifying those locations with the greatest concentration of management concerns.

Simultaneously, the Law Enforcement Council (chaired by Larry Hynes, Director of Security at Suffolk County Parks) has efficiently coordinated its 14 member police agencies for joint enforcement operations. These operations have not only resulted in citations and arrests, but have familiarized each agency's field personnel with the other agencies' park and preserve holdings, increased their interagency radio communications abilities, and provided such stewardship initiatives as the ongoing helicopter lifts of abandoned vehicles from municipal parklands. The Commission has also encouraged these agencies to continue their professional training, as exemplified by the recent participation of several Law Enforcement Council officers in the Environmental Crimes Investigation and Prosecution course.

One of the issues raised at the recent Protected Lands Council meeting was the efficient funding of the costs of larger interagency management initiatives - i.e., those projects which, by their very definition, involve several adjoining public or not-for-profit landowners. In such situations, larger versions of the efforts described above of the Protected Lands and Law Enforcement Councils are the only practical solutions; without each of the affected agencies participating, no unilateral policy by any one will be effective (or necessarily feasible). Trail layout and design, natural resources inventory and protection, recreation (including hunting, hiking, fishing, and biking), law enforcement, and mapping are all intrinsically interagency issues in the core preservation area due to the intermixed land ownership pattern present there.

As you know, the Commission has made its administrative resources available to support the work of these Councils, and will continue to do so. The state, county, town, and other agencies involved have been generous in the sharing of their resources in these endeavors. The Protected Lands

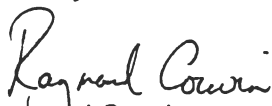
Council members have now proposed informally that the same approach be taken to funding the larger-cost projects which involve problems or issues common to more than one agency. Joint trailheads and parking sites (especially the refurbishment of existing common areas), technical equipment to be shared by the affected agencies for mapping, law enforcement equipment which can be shared by interagency field teams, and several similar projects would be included in this newer class of projects.

Towards this end, I am writing to document the recent suggestions of the Council members that a portion of the Suffolk County Parks Department's Drinking Water Protection Program management funds (as recently approved in the public referendum) be applied specifically towards the types of interagency management problems described above. Such an application of funds would be invaluable, as they would become part of the interagency support that will be needed from all participating agencies in order to achieve, at a minimum total cost the interagency goals already being pursued by the various Council members.

As a Co-Chair of the Protected Lands Council, and a very valuable contributor to the pine barrens Plan implementation work to date, you understand the importance of interagency cooperation when the addressing field management issues that are beyond the scope of any one organization. I would be pleased to meet with you, as I am certain that the members of the two Councils would be, to discuss in further detail these larger challenges which are well within reach of an interagency effort.

Thanks for your attention to this topic, and best regards as always.

Sincerely,


Raymond Corwin
Executive Director

cc: R. Gaffney, Chair, Central Pine Barrens Commission; and SC Executive
R. Cowen, Governor's Appointee, Central Pine Barrens Commission; and Regional Director,
NYS Dept. Of Environmental Conservation Region 1
C. Hamilton, Co-Chair, Protected Lands Council; and Director of Natural Resources, NYS
Dept. Of Environmental Conservation Region 1
L. Hynes, Chair, Law Enforcement Council; and Director of Security, SC Dept. Of Parks

COUNTY OF SUFFOLK



COUNTY LEGISLATURE

STEVE HACKELING
LEGISLATOR, 18TH DISTRICT

CHAIRMAN:
PARKS, RECREATION AND PUBLIC WORKS COMMITTEE

143 MAIN STREET
HUNTINGTON, NEW YORK 11743
(516) 854-4500
FAX: (516) 854-4503

12/17/96 Commission
Meeting Summary ATTACHMENT
1 page

AGENDA

STEVE HACKELING
LEGISLATOR 18TH L.D.

143 MAIN STREET
HUNTINGTON, NY 11743

TO: LEGISLATORS FINLAY, D'ANDRE, TONNA, CARACAPPA,
CARPENTER, LEVY, BREDES, AND FOLEY - ALL
INTERESTED PARTIES

FROM: STEVE HACKELING, CHAIRMAN

RE: PARKS & PUBLIC WORKS COMMITTEE AGENDA
THURSDAY, DECEMBER 12TH, 1996 @ 1:30 P.M.
WILLIAM H ROGERS LEGISLATIVE BUILDING

PLEDGE OF ALLEGIANCE

COMMITTEE DISCUSSION - A representative of Real Estate Dept. to discuss
Resolution 1798 - Inlet Pond
Commissioner Mike Frank - re Public Works
priorities list
Cornell Cooperative Extension to present re:
October '97 Youth Fair
President Bob Liniken and members of the Long
Island Maritime Museum to speak
Ray Corwin, Executive Director of Central Pine
Barrens Joint Planning Commission

PUBLIC PORTION

PUBLIC WORKS

INTRODUCTORY PRIME

2178-P Authorizing County Legislature to remain in William H. Rogers
Legislature Building. Introduced by Legislators Hackeling, D'Andre,
Finlay, Foley, Levy and Rizzo.

12/18/96 Commission Meeting
Summary attachment
(2 pages)

Central Pine Barrens Joint Planning and Policy Commission

Robert J. Gaffney, *Chair*
Felix J. Grucci, Jr., *Vice Chair*
Vincent Cannuscio, *Member*
Ray E. Cowen, *Member*
James R. Stark, *Member*

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

Pine Barrens Reference Library Fact Sheet

Purpose and Scope

The Central Pine Barrens Commission maintains a modest but growing reference library for citizens, students, researchers, government and private sector staff, teachers, historians, and any individual interested in Long Island's Central Pine Barrens. **Promotion of research, citizen involvement, and access to information are goals of the Library.**

Current holdings include **materials directly describing the Central Pine Barrens or the Commission's work** (e.g., Commission documents, scientific reports, etc.) and **materials on the broader disciplines within which the Commission's work fits** (e.g., regional planning work elsewhere).

Subject Areas

Holdings are presently categorized (and physically arranged) **alphabetically by topical area**, with each topic's materials contained in shelf files. Please note that individual items in these are not yet catalogued in a data base. Current categories are:

Brookhaven National Laboratory

Brookhaven Town

Central Pine Barrens Commission:

Advisory Committee Agendas and Minutes
(from 1993)

Agendas and Meeting Summaries (from
1993)

Articles and News Clippings (from 1993)

Community Outreach Work

Critical Resource Areas

Development Yield

Economic Analyses

General Materials (including CPB Plan)

Hearing transcripts

Litigation

Ecology and Natural History

Essays and Writings

Fire:

California

General Areas and Topics

Long Island (also see "Wildfire Task Force")

Management Plans (United States)

Florida (Planning and Conservation Materials)

Global Positioning Systems

Group for the South Fork (CPB Advisory Committee
member)

Law Enforcement Council (established by the CPB
Plan)

Local History - Hamlets, Regions and Industries

Local Organizations - Private

Long Island Association (CPB Advisory Committee
member)

Long Island Geographic Information Systems Users
Group

Long Island Greenbelt Trail Conference (CPB
Advisory Committee member)

Long Island Pine Barrens Society (CPB Advisory
Committee member)

Massachusetts:

Cape Cod Commission

General Statewide Materials

National Weather Service

The Nature Conservancy (CPB Advisory Committee
member)

New Jersey:

General Statewide Materials

Pinelands

New York:

Albany Pine Bush Preserve

Conserving Open Space in NY State

Dept of Environmental Conservation -

Long Island & Statewide

Env Cons Law Art 57 (Pine Barrens Act)

General Statewide Materials

Laws (general)

Peconic Estuary Program

Peconic Land Trust
 Pine Barrens Credit (PBC) Program:
 PBC Certificates
 PBC Clearinghouse Meetings (*from 1995*)
 PBC Economic Analysis
 PBC Registry (*from 1995*)
 NYS DEC - Clearinghouse Funding Agreement
 Suffolk County Treasurer's Reports
 Protected Lands Council (*established by the CPB Plan*)
 Real Estate:
 Development Rights
 General Materials
 Property Rights
 Recreation:
 Central Pine Barrens
 General Materials
 Regional Plan Association (*CPB Advisory Committee member*)
 Regional Planning and Land Use:
 International Materials
 United States Materials
 Remote Sensing
 Riverhead Town
 South Shore Estuary Reserve
 Southampton Town
 Student Papers (*see special note below*)
 Suffolk County:
 General County Government
 Land Acquisition and Protection
 Parks
 Pine Barrens Review Commission
 Suffolk County Water Authority (*CPB Advisory Committee member*)
 Trust for Public Land
 United States:
 Environmental Programs
 Fish and Wildlife Service
 Water (Ground and Surface):
 General Materials
 Long Island
 Wildfire Task Force (*established by resolution*)

Access, Location, Hours, etc.

The Pine Barrens Reference Library is housed at the Commission offices at 3525 Sunrise Highway, Great River, NY 11739-0587. The office is located on the second floor of the Suffolk County Water Authority Technical Services Building. This site is reached proceeding westbound on the Sunrise Highway Service Road in Oakdale, with the entrance located exactly one half mile west of the Connetquot River State Park Preserve entrance.

Hours of the Library are those of the Commission, 8:30 am to 5:00 pm, Monday to Friday, with access at other times possible upon request. Since the Library also serves as a conference room, there may be hours when it is temporarily unavailable.

Arrangement for photocopies is possible, and no charge applies to small quantities. Please note that patrons are responsible for copyright compliance, as per typical library procedures. Removal and lending of materials is not currently permitted.

Special Student Collection

The Commission and staff strongly encourage student research on Long Island's pine barrens. Towards that end, **the Commission encourages students at all levels of academic scholarship to contribute to the Library copies of their papers, essays, portfolios, videotapes, and other works.**

This "Student Papers" collection focuses upon elementary, secondary, undergraduate and graduate academic work, providing a resource for teachers and a historical students-eye perspective on the pine barrens through the years ahead.

Visiting, Reading, Thinking, and Contributing ...

are all encouraged. Call 516-563-0385 for assistance.

(Revision Date: December 1996)

12/18/96 Commission meeting
Summary attachment
(2 pages)

SIEGEL FENCHEL & PEDDY, P.C.

777 Zeckendorf Blvd.
Garden City, New York 11530
(516)794-6060
Fax: (516)745-0961

FAX TRANSMISSION COVER SHEET

Date: December 17, 1996

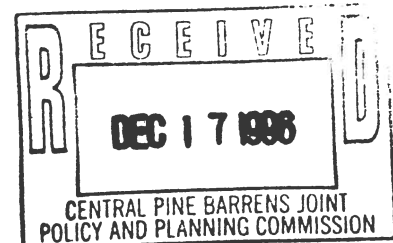
To: Ray Corwin, Esq. - Executive Director, Central Pine Barrens Joint Planning
and Policy Commission

Fax: (516) 277-4097

Re: Core Preservation Area Hardship Application - Boy Scout Property -
Town of Riverhead

Sender: Andrew G. Cangemi, Esq.

YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET. IF
YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (516)794-6060.



WILLIAM D. SIEGEL
SAUL R. FENCHEL*
TRACIE P. PEDDY
MICHAEL T. SCHRODER^o
ANDREW G. CANGEMI
KAREN STROM[†]
LOREN B. SCHINDLER^o
EDWARD C. MOHLENHOFF
SCOTT DE SIMONE
ELYSE M. CANDELLA

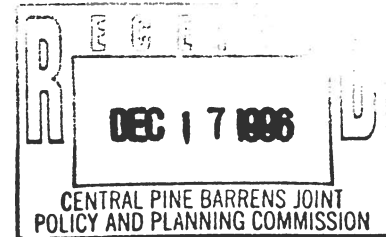
**SIEGEL
FENCHEL
& PEDDY, P.C.**
ATTORNEYS AT LAW

777 Zeckendorf Boulevard, Garden City, NY 11530
516-794-6060 FAX 516-745-0961

PHILIP A. PAULSON
(1906-1968)

* MEMBER OF NY, CA, FL, NJ, PA AND DC BARS
^o MEMBER OF NY AND PA BARS
[†] MEMBER OF NY, NJ AND CT BARS
^o MEMBER OF NY AND NJ BARS

December 17, 1996



Via Facsimile and Regular Mail
Ray Corwin, Esq.
Central Pine Barrens Joint Planning & Policy Commission
3525 Sunrise Highway
2nd Floor
Great River, New York 11739

**RE: Core Preservation Area Hardship Application
Boy Scout Property - Town of Riverhead**

Dear Mr. Corwin:

Please be advised that Nassau County Council of Boy Scouts are withdrawing their application for hardship for the Boy Scout's property indicated above.

Please be further advised that this withdrawal is conditioned upon the sale of said property to the Nature Conservancy on or before March 15, 1997.

Thank you for your time and consideration in this matter. If you have any questions, please do not hesitate to call.

Sincerely,


Andrew G. Cangemi

AGC/rwb

cc: Bruce McMillan, Nassau County Council of Boy Scouts
Fred Meyer, President, Nassau County Council of Boy Scouts
Paul Rabinovitch, Nature Conservancy

12/18/96 Commission Meeting
Summary (2 pages)

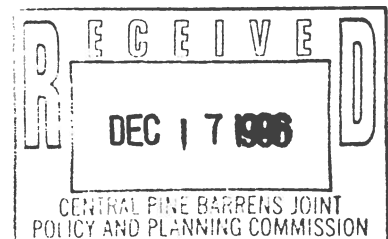
SIEGEL FENCHEL & PEDDY, P.C.

777 Zeckendorf Blvd.
Garden City, New York 11530
(516)794-6060
Fax: (516)745-0961

FAX TRANSMISSION COVER SHEET

Date: December 17, 1996
To: Ray Corwin, Esq. - President - Central Pine Barrens Joint Planning & Policy Commission
Fax: (516) 277-4097
Re: Core Preservation Area Hardship Application - Boy Scout Property - Town of Riverhead
Sender: Andrew G. Cangemi, Esq.

YOU SHOULD RECEIVE 2 PAGE(S), INCLUDING THIS COVER SHEET. IF
YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (516)794-6060.



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December 17, 1996

Via Facsimile and Regular Mail

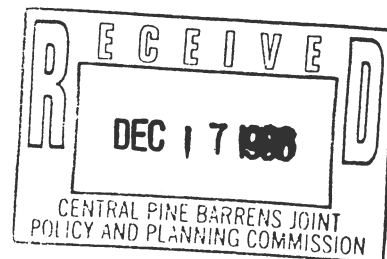
Ray Corwin, Esq.

Central Pine Barrens Joint Planning & Policy Commission

3525 Sunrise Highway

2nd Floor

Great River, New York 11739



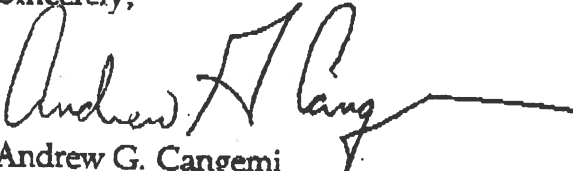
**RE: Core Preservation Area Hardship Application
Boy Scout Property - Town of Riverhead**

Dear Mr. Corwin:

Pursuant to my conversation with Doris Roth, Esq., please be advised that the Nassau County Council of Boy Scouts request an extension of the Commission's determination until March 15, 1997 so as to allow time for the proposed completion of the sale of the property to the Nature Conservancy.

Thank you for your time and consideration in this matter. If you have any questions, please do not hesitate to call.

Sincerely,


Andrew G. Cangemi

AGC/rwb

cc: Bruce McMillan, Nassau County Council of Boy Scouts
Fred Meyer, President, Nassau County Council of Boy Scouts
Paul Rabinovitch, Nature Conservancy