

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 January 6, 1997 3:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of November 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

- Status of Warner Easement

C. Update on Letters of Interpretation and Credit Certificates Issued to Date

3. Program Implementation

- Status of Auction for Pine Barrens Credit Holders (*attached*)
 - Requests for Clearinghouse to coordinate Auction
- Title searches issues
 - Overlap parcels
 - Open taxes

4. Meeting Schedule

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Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for January 6, 1997 (DRAFT) Commission Office Great River, New York 3:00 p.m.

Present: Board members present were Mr. Tripp (representing the Town of Brookhaven), Mr. Grecco (representing Suffolk County), Mr. Freleng (representing the Town of Southampton) and Mr. Hanley (representing the Town of Riverhead). Also in attendance were Ms. Roth, General Counsel to the Commission and Ray Corwin, Executive Director to the Commission. Staff members included Ms. Trezza, Mr. Milazzo, Mr. Hopkins and Ms. Plunkett. Additional attendees are shown on the attached sign-in sheet.

The meeting was chaired by Mr. Trip and called to order at 3:10 p.m.

1. Administrative

• Public Comment Period

Summary: Mr. Olin Warner thanked the Pine Barrens Credit Clearinghouse members and the Clearinghouse staff for working so closely with him to make the PBC Program benefit him.

• Ratification of November 26, 1996 Clearinghouse meeting minutes

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

• Capitalization Funds Update and Report from Suffolk County Treasurer's Office

Summary: Christina Cooke distributed and reviewed the attached financial report for November 1996. As per Jack Hanley's request, the presentation of the data in the financial report was rearranged. In the Clearinghouse's account was \$5,167,835.37. At this point she asked whether the Clearinghouse members anticipated disbursing any funds from the account. The Clearinghouse then discussed the process by which Mr. Warner's credits would be purchased.

• Warner Easement

Summary: According to the agreement with the County Treasurer and the Commission, any expenditure of funds from the Clearinghouse account needs to be preceded by a voucher from the Clearinghouse. Mr. Warner owns three parcels that have been aggregately allocated 47.99 Pine Barrens Credits. Under the Commission title policy resolution, Mr. Warner was required to obtain title insurance. However, the title report indicated that he owed back taxes and the current taxes were still open. Mr. Warner had earlier expressed a desire to sell these credits to the Clearinghouse. However, before the credits can be issued, Mr. Warner must pay his back taxes on the parcels, but he is relying on the purchase monies to pay the taxes. Therefore, a discussion took place on whether the Clearinghouse could issue checks to both Mr. Warner and to the County for the taxes, the number of vouchers needed and the best way to assure that the title report and insurance was proper and sufficient. A resolution was achieved when it was arranged to privately pay the back and current taxes before the issuing the Credit Certificate. Therefore only one voucher for payment would be submitted for Mr. Warner's payment and the lender would be paid back by Mr. Warner when the

check is received. The voucher and purchase agreements were signed by Mr. Tripp. The target for issuing the Credit Certificate was to be January 13, 1997.

2. **PBC Clearinghouse Letter of Interpretation Applications**

• **Summary of Clearinghouse Applications**

Summary: Mr. Milazzo distributed the staff reports and the table of Letter of Interpretation applications to the members for their consideration. At the last Clearinghouse meeting, the Board reserved decision on 6 applications submitted by Martha Barkus due to the presence of a LILCO easement on them. As instructed, staff secured a copy of the easement and forwarded it to Counsel who the Board instructed to review its terms. The question was whether these lots were entitled to their full allocation. Staff stated that the right of way was an active transmission line corridor. Counsel reported that the LILCO easement states that no development is to take place without LILCO's permission. Notwithstanding, Counsel concluded that the lots affected by the LILCO easement should be allocated credits pursuant to the parcel with no adjustments made. Mr. Milazzo went on to discuss the Malinowski application stating the applicant simply sent in the wrong application forms. He suggested that the Board approve the listed allocation subject to receipt of the proper forms. Lastly, Mr. Milazzo discussed the three 1001 Middle Country Road Handling Co. applications. Two of the properties were not entitled to credits as per the Plan. The last was disturbed but had 2 acres of undisturbed area. It was suggested that prior to accepting a conservation easement the extent of the undisturbed portion be delineated. The area so depicted may require a change in the allocation.

A motion was then made by Mr. Grecco and seconded by Mr. Freleng to approve all the allocations as specified (see chart), with Allan Grecco recusing himself on the applications being handled by the firm of Pachman, Pachman & Farneti, stating that he has had prior business dealings with this firm. The motion was approved by a vote of 3-1 with Allan Grecco abstaining on the previously mentioned applications.

• **Joseph Gazza (not on the agenda)**

Summary: Mr. Gazza wrote a letter to the Clearinghouse members stating that he would like to convert Town of Southampton Development Rights generated from Core Preservation Area property but stored on a Compatible Growth Area parcel into Pine Barrens Credits. He offered to use the resultant PBCs within the framework of the Pine Barrens Plan. He also mention that he felt that PBCs are more marketable than the TDRs given by the Town. Mr. Milazzo informed the Board that the CGA parcel was not a designated sending parcel and that the Plan allows PBCs to be allocated to parcels of land. After a brief discussion the members instructed Staff to deny the request in a letter to Mr. Gazza.

A motion was made by Mr. Grecco and seconded by Mr. Hanley to deny Mr. Gazza's request for the TDRs from the Town of Southampton be converted to PBCs. The motion was approved unanimously.

At this point Mr. Milazzo distributed a status report of transactions of the Clearinghouse to date.

3. **Program Implementation**

• **Status of Auction for Pine Barrens Credit Holders**

Summary: Staff discussed revisions to the Auction. He also stated that there are 3 purchasers taking part in this Auction. Doris Roth stated that they are good documents but that there might be a problem with the proposed random selection of sellers if there is an over subscription of participants. After a lengthy discussion on how to handle the over subscription, it was decided that if that occurs that the purchasers will decide which credits to purchase. Mr. Hanley suggested the incorporation of some indemnification language in the agreement between the Clearinghouse and the purchasers. A simple statement to the effect that the Clearinghouse will use its best efforts to implement the offer was sufficient.

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A motion was made by Mr. Grecco and seconded by Mr. Freleng to allow staff, Counsel and the Chairman of the Clearinghouse Board of Directors to revise the existing Auction forms and to also authorize the Chairman of the Board of Advisors to sign all forms needed with the purchasers along with the solicitation letter. The motion was carried unanimously.

- Title Searches

Summary: It was stated that the 2 main problems coming up in the title searches are the issue of open taxes and overlap parcels. It was discussed among members that all back or open taxes must be paid to date as per the Plan and that credit certificates can not be issued until this is done. The Board felt that the responsibility for resolving title problems including overlap parcels rests with the land owner. Additionally, Letters of Interpretation for such parcels should indicate the same.

- 4. Meeting Schedule

Summary: the next meeting of The Pine Barrens Credit Clearinghouse Board of Advisors will be held on February 11, 1997 at 3:00 p.m. at the Commission Office in Great River.

A motion was made by Mr. Grecco and seconded by Mr. Tripp to enter into executive session for the purpose of discussing legal matters. The motion was approved unanimously.

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**Pine Barrens Financial Report
For the Month Ending
11/30/96**

Part I

Summary of Principal Balances

Money Market Balance 11/30/96	\$5,028.97	
Certificates of Deposit Balance as of 11/30/96	5,162,806.40	See Part III for details

Total Investment as of: 11/30/96	\$5,167,835.37	
	=====	

Part II

Summary of Pine Barrens Investment

Balance as of 11/21/95 (Inception Date)	\$4,950,000.00
Earnings thru 11/30/96	217,835.37
Disbs. thru 11/30/96	0.00

Balance as of: 11/30/96	\$5,167,835.37
	=====

Part III

Details of CD Investments

Bank	Orig. Date	Maturity Date	# of days	Principal Amt	Int. Rate	Anticipated Int.
North Fork	08/05/96	12/09/96	126	1,000,000.00	5.40%	18,900.00
North Fork	09/10/96	01/14/97	126	1,500,000.00	5.32%	27,930.00
North Fork	10/01/96	02/04/97	127	1,134,681.40	5.36%	21,455.56
North Fork	11/04/96	03/11/97	127	1,528,125.00	5.38%	29,002.96
Total CDs				\$5,162,806.40		

**Pine Barrens Financial Report
For the Month Ending
11/30/96**

Part IV

Summary of Activity

<u>Money Market</u>		<u>For the Month of November</u>
Beginning Balance @	11/01/96	\$5,018.65
<u>Receipts:</u>		
CD interest transferred into account	\$0.00	
Interest earned on account @2.50%	\$10.32	
Other	0.00	
		10.32
<u>Disbursements:</u>		
CD Investment	\$0.00	
Other	0.00	
		0.00
Ending Balance @	11/30/96	\$5,028.97

<u>Certificates of Deposit</u>		<u>For the Month of November</u>
Beginning Balance @	11/01/96	\$5,134,681.40
<u>Receipts:</u>		
Additional investment	\$0.00	
Interest earnings on account	\$28,125.00	
Other	0.00	
		28,125.00
<u>Disbursements:</u>		
CD Liquidation to Money Market	\$0.00	
Other	0.00	
		0.00
Ending Balance @	11/30/96	\$5,162,806.40

Part V

Summary

Beginning Balance @	11/01/96	\$5,139,700.05
<u>Add:</u>		
Interest Earnings		28,135.32
Other additions		0.00
<u>Deduct:</u>		
Disbursements		0.00
Other deductions		0.00
Ending Balance @	11/30/96	<u>\$5,167,835.37</u>

Letter of Interpretations Applications
January 6, 1997

<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>
1001 Middle Country Road Handling Co. 1/4/96	200-295-1-5.1	2.53 Acres J4 Business	See attached report	Complete	2.53	Parking lot leading into undeveloped 87,500 s.f. or 2.008 acres, portion of parcel; proposed allocation to undeveloped portion	2.01
1001 Middle Country Road Handling Co. 1/4/96	200-295-1-5.2	0.13 Acres J4 Business	See attached report	Complete	0.13	Office building on parcel	0.0
1001 Middle Country Road Handling Co. 1/4/96	200-295-1-5.3	0.11 Acres J4 Business	See attached report	Complete	0.11	Parking lot on parcel	0.0
Frank J. Ciradullo Herman Heinlein c/o Pachman, Brown & Farneti, P.C. 366 Veterans Memorial Highway Commack, NY 11725	200-355-2-13	3.15 Acres A5 Residence	See attached report	Complete	0.504	Parcel on existing improved road allocation of 1.0 PBC pursuant to Section 6.7.6.6	1.0

<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>
Frank J. Ciradullo Herman Heinlein c/o Pachman, Pachman, Brown & Farneti, P.C. 366 Veterans Memorial Highway Commack, NY 11725	200-356-1-1	14.20 Acres A5 Residence	See attached report	Complete	2.272		2.27
Frank J. Ciradullo Herman Heinlein c/o Pachman, Pachman, Brown & Farneti, P.C. 366 Veterans Memorial Highway Commack, NY 11725	200-356-1-2	13.51 Acres A5 Residence	See attached report	Complete	2.1616		2.16
William Malinowski Margaret Malinowski c/o Michael R. Strauss, Esq. 220 East Main Street Port Jefferson, NY 11777	200-382-2-22	1.82 Acres A1 Residence	See attached report	Complete	1.456		1.46

<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	200-411-2-7	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	0.14
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	0.13
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	1.00

<i>Applicant(s)</i>	<i>SC/TM #: 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	200-411-2-13	0.40 Acres A5 Residence	See attached report	Complete	0.064	Qualifies for minimum allocation of 0.10 PBC pursuant to Section 6.7.6.7; 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 pursuant to Section 6.7.6.7; LILCO easement over portion of parcel	0.10
Marilyn McKay 1157 Eagle Way Virginia Beach, Va. 23456	200-413-2-29	0.42 Acres A5 Residence	See attached report	Complete	0.0672	Qualifies for minimum allocation of 0.10 PBC pursuant to Section 6.7.6.7	0.10
Alberta Gueli 10034 The Mending Wall Columbia, MD 21044	200-529-3-28	0.23 Acres A5 Residence	See attached report	Complete	0.0368	Qualifies for minimum allocation of 0.10 PBC pursuant to Section 6.7.6.7	0.10
Estate of W. A. Smith 504 Yorktown Rd. Logansport, IN 46947	900-215.3-1-37	0.09 Acres Country Residence 200	See attached report	Complete	0.0144	Qualifies for minimum allocation of 0.10 PBC pursuant to Section 6.7.6.7	0.10
Isabella DeVallee 11 Maple Ave. Lynbrook, NY 11563-2424	900-282-2-6	0.09 Acres Country Residence 200	See attached report	Complete	0.0144	Qualifies for minimum allocation of 0.10 PBC pursuant to Section 6.7.6.7	0.10

CREDIT APPLICATION STAFF REPORT

Issue Date: 1/25/96

Field Visit: 1/16/96

Item	Tax Map Number: 200-295-1-5.1, 5.2, 5.3
Applicant Name	1001 Middle Country Road Holding Co. (William J. Barrett)
Location/Access	North side of Middle Country Road, east of the intersection of William Floyd Parkway, Ridge, Town of Brookhaven. Property abuts Brookhaven State Park on the east.
Hagstrom Map #	Map 19, 23-K
Aerial #	Not available at this time.
Acreage	Although the request is for three tax map parcels, the survey shows one parcel for a total of 2.77 acres. It is not clear how the other two parcels were created, although the tax map does show three parcels.
Topography/Geologic Features	Flat, approximately 90' above mean sea level.
Soils (SC Soil Survey)	RdA (Riverhead sandy loam 0-3% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	No.
Vegetative Cover Type	The front portion of the site is developed as noted below with a building and parking area. The site contains Pitch Pine/Oak woodlands in the rear of the parcel, however does contain some areas of disturbance.
Rare and Endangered Species	No.
Cultural Resources	Not available at this time
Land Use	The property contains an existing 2,110 square foot office building, parking for nine cars and a paved entrance drive from Middle Country Road. The total developed portion of the site represents approximately 31,250 square feet or 25% of the sites' area. The remainder of the site is vacant.
Zoning	J4 (Professional and Business Offices)
School District	Longwood
Public Water	Yes
Public Sewer	No
Fire/Police District	Ridge
Comments	Allocation should be limited to the portion of the site that is not developed, north of the existing paved drive.

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

Issue Date: 1/3/97

Site Visit: 12/9/96

Item	Tax Map Number:
	200-355-2-13
Applicant Name	Frank J. Ciardullo & Herman Heinlein
Location/Access	A described parcel, fronting on the north side of Mill Road, aka Jones Road (improved), west of Primrose Path, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, L-27
Aerial #	Not available at this time.
Acreage	3.15 acres as per application.
Topography/Geologic Features	Gently sloping up from the road, approximately 50' 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.	None.
Vegetative Cover Type	Pitch pine - oak woodland
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	A5 Residence. Minimum lot area 200,000 square feet.
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Comments	

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

Issue Date: 1/3/97

Site Visit: 12/9/96

Item	Tax Map Numbers:
	200-356-1-1 & 2 (adjacent)
Applicant Name	Frank J. Ciardullo & Herman Heinlein
Location/Access	Described parcels, fronting on the south side of Mill Road, aka Jones Road (improved), just east of Saw Mill Road, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, L-27
Aerial #	Not available at this time.
Acreage	14.20 acres and 13.51 acres respectively as per application. 27.71 acres total.
Topography/Geologic Features	Moderately sloping up from the road, 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.	None.
Vegetative Cover Type	Pitch pine - oak woodland
Rare and Endangered Species	None as per Natural Heritage maps dated April 6, 1995.
Cultural Resources	Not available at this time
Land Use	Vacant, NYSDEC lands to the immediate west, Navy (Grumman) lands to the immediate east and north.
Zoning	A5 Residence. Minimum lot area 200,000 square feet.
School District	Eastport
Public Water	No
Public Sewer	No
Fire/Police District	Manorville
Comments	

PINE BARRENS CREDIT LETTER OF INTERPRETATION APPLICATION

STAFF REPORT

Issue Date: 1/3/97

Item	Tax Map Number:
	200-382-2-22
Applicant Name	Margaret & William Malinowski
Location/Access	Intersection of Timber Drive and Crystal Brook Road, (neither road open in this vicinity), 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	1.82 acres as per tax bill.
Topography/Geologic Features	Generally flat, approximately 60' above mean sea level.
Soils (SC Soil Survey)	RdA(Riverhead sandy loam, 0-3% slopes) and Mu (Muck)
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: 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 (SC Soil Survey)	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.

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

Issue Date: 1/3/97

Item	Tax Map Number:
	200-413-2-29
Applicant Name	Marilyn McKay
Location/Access	South of LIE, east of Halsey Manor Road, Manorville, Town of Brookhaven. Parcel is located on a paper road, however these paper roads are landlocked due to their accessibility from the LIE, a limited access highway. It should be noted however, that there are a series of dirt trails in this vicinity that may have been created based on earlier maps or colonial use of this area.
Hagstrom Map #	Map 20, M-28
Aerial #	Not available at this time.
Acreage	.42 acre as per application.
Topography/Geologic Features	Steeper, morainal slopes, approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Generally PiC (Plymouth loamy sand 8-15% slopes) with areas of RdC (Riverhead sandy loam 8-15% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None.
Vegetative Cover Type	Pitch pine - oak woodland
Rare and Endangered Species	None, according to 1995 Natural Heritage data.
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	

PINE BARRENS CREDIT LETTER OF INTERPRETATION APPLICATION
STAFF REPORT
Issue Date: 1/3/97

Item	Tax Map Number:
	200-529-3-28
Applicant Name	Alberta Gueli
Location/Access	Old filed map (Flower City Park) east of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from a paper road (<i>Parkway Blvd.</i>).
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.23 acre as per application.
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 of the subject site.
Vegetative Cover Type	Pitch pine - oak 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	

PINE BARRENS CREDIT LETTER OF INTERPRETATION APPLICATION
STAFF REPORT
Issue Date: 1/3/97

Item	Tax Map Number:
	900-215.03-1-37
Applicant Name	Estate of W. A. Smith
Location/Access	North of Sunrise Highway, west of Summit Blvd., Property has access Lockwood 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	.09 acre as per tax bill
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	

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

Issue Date: 1/3/97

Item	Tax Map Numbers:
	900-282-2-6
Applicant Name	Isabela DeVallee
Location/Access	Old filed map (Villa Park) north of air base housing, west of CR31, Westhampton, Town of southampton
Hagstrom Map #	Map 23, O-30
Aerial #	Not available at this time.
Acreage	.09 acre as per tax bill.
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	

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**AGREEMENT BETWEEN THE PURCHASER AND
PINE BARRENS CREDIT CLEARINGHOUSE**

1. The Purchaser has requested the Pine Barrens Credit Clearinghouse, and Clearinghouse has agreed to conduct a "Dutch Auction" to establish a Purchase Price for up to twelve (12) Pine Barrens Credits (originating from Central Pine Barrens Core Area Land in the Town of Brookhaven). The Purchaser understands that other Purchasers are participating in this Dutch Auction.
2. As part of the Dutch Auction, the Clearinghouse will mail a solicitation letter and transmittal form to each record owner of property in the Core Area the Town of Brookhaven to whom the Clearinghouse has issued a Letter of Interpretation ("Credit Holder") requesting that Credit Holders submit prices at which they will sell Pine Barrens Credits. The letter will solicit interest in selling Pine Barrens Credits in the price range of \$7,500 to \$15,000, and it will provide an opportunity to indicate a higher price.
3. The Purchaser agrees to purchase FOUR (4) of the twelve (12) Pine Barrens Credits at the established per credit Purchase Price when the certificates for such credits are issued. In the event that less than twelve (12) Credits are available for purchase at the established Purchase Price, Purchaser will purchase a pro rata portion (four tenths) of the Credits available for purchase pursuant to number 6, below.
4. Purchaser agrees to hold in escrow the maximum amount that could be paid for four (4) Pine Barrens Credits under the Dutch Auction (\$60,000) and to make payment for such Credits from said escrow account upon receipt of the certificates. The Purchaser agrees to make payments to the Credit owners who have been selected for purchase as directed by the Clearinghouse.
5. The Purchase Price will be established by selecting the lowest price at which a total of twelve (12) Pine Barrens Credits may be purchased based upon the transmittal forms received at the Clearinghouse by the Expiration Date. The established Purchase Price will be no greater than \$15,000 and no less than \$7,500. If less than twelve (12) Credits can be purchased based upon the transmittal forms, the highest price (between \$7,500 and \$15,000) on the transmittal forms received will be the Purchase Price. If more than twelve (12) Credits are submitted at the selected Purchase Price, the Credits will be selected by random lot. If no Credits can be purchased for \$15,000 or less by the Expiration Date, no Pine Barrens Credits will be selected for purchase, and this agreement shall be terminated with no further rights or obligations on the part of either party.
6. The Clearinghouse will assign the Credits Purchaser will purchase based upon the transmittal forms. If less than twelve (12) Pine Barrens Credits are indicated on the transmittal forms received by the Expiration Date, the Clearinghouse will assign a pro rata portion (four tenths) of the Credits as indicated on the transmittal forms. Purchaser agrees to execute an Contract of Sale for Pine Barrens Credits with the owner(s) of the assigned Credits.
7. The Clearinghouse will send the agreements as signed by Purchaser to the selected Credit Holder(s). Upon receipt from the Credit Holder(s) of the executed agreements and other

documents required to issue Pine Barrens Credits, the Clearinghouse will initiate a title search in accordance with the requirements of the Central Pine Barrens Joint Planning and Policy Commission.

8. Purchaser understands that assigned Credits may not be capable of being purchased because of title or other conditions associated with the Credit Holder's property. The Clearinghouse is under no obligation to correct title or any other problems that may prevent the purchase of assigned Credits. All determinations as to the adequacy of title and the form and content of conservation easements will be in the sole discretion of the Central Pine Barrens Joint Planning and Policy Commission.

9. If the title search is acceptable to the Commission and when the approved conservation easement is recorded, the Clearinghouse will deliver to the Purchaser a certificate in the name of the Purchaser for the Credits, and the Purchaser will concurrently deliver to the Clearinghouse a check or checks payable as directed by the Clearinghouse to the Credit Holder(s) in the amount(s) noted in the agreement(s).

10. If any title search(es) are unacceptable, Purchaser understands that the transaction relating to those Credits may be terminated.

11. During the period of time in which the Dutch Auction is open (from date the offer is sent to the Expiration Date), the Purchaser will not seek to purchase Pine Barrens Credits through any other means.

Dated: January 6, 1997

Purchaser

Pine Barrens Credit Clearinghouse

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*

January 6, 1997

Mr. and Mrs. Credit Holder
1234 Main Street
Anytown, NY 12345

Dear Mr. and Mrs. Holder:

The Pine Barrens Credit Clearinghouse has received inquiries expressing interest in purchasing twelve (12) Pine Barrens Credits originating from Central Pine Barrens Core area land in the Town of Brookhaven. The purchasers have indicated that they would be willing to purchase Pine Barrens Credits in the price range of \$7,500 to \$15,000 per credit.

As you know, the Clearinghouse is currently offering \$7,200 per credit for Pine Barrens Credits originating from land in Brookhaven. Whenever possible, the Clearinghouse will facilitate private transactions in Pine Barrens Credits so you may obtain a higher price.

Our records indicate that you own property entitled to an allocation of Pine Barrens Credits. If you are interested in selling those credits for a per credit price between \$7,500 and \$15,000, you may indicate the price you will sell your credits for on the enclosed transmittal form. If you seek a per credit price higher than \$15,000, you may also indicate that on the form, but it will not be considered in establishing the "Purchase Price." Filling out the transmittal form does not obligate you to sell your credits, and it does not guarantee your credits will be purchased. The transmittal form must be received at the Clearinghouse by January 31, 1997, the "Expiration Date."

A single Purchase Price between \$7,500 and \$15,000 will be established, which will be the lowest price at which a total of twelve (12) Pine Barrens Credits may be purchased based upon the transmittal forms received by the Clearinghouse. These credits will be purchased at the Purchase Price even if you indicated a lower price. If you indicated a price higher than the established Purchase Price, your credits will not be purchased as part of this solicitation, but may be purchased separately. If transmittal forms indicating more than twelve (12) credits at or below the Purchase Price are received, a total of twelve (12) Pine Barrens Credits will be selected for purchase by random lot.

If your credits are selected for purchase, the Clearinghouse will contact you indicating the Purchase Price and will provide the documents that must be executed to sell your credits. In order to sell your credits you will have to enter an agreement with the purchaser and execute an approved conservation easement and submit them to the Clearinghouse together with a Pine Barrens Credit Certificate Application and a New York State Combined Real Property Transfer Gains Tax Affidavit. In most cases the Clearinghouse will arrange for a title search that will have to be acceptable for the transaction to be completed.

Please see the enclosed transmittal form if you want to sell your credits at an indicated per credit price between \$7,500 and \$15,000. If you have any questions, please feel free to contact the Clearinghouse at (516) 563-0385.

Very truly yours,

James T. B. Tripp

the purchasers at their discretion will pick which credits they want to buy

TRANSMITTAL FORM

To Indicate a Price for Pine Barrens Credits
(Originating From Central Pine Barrens Core Area Land in the Town of Brookhaven)
Dated January 6, 1996

THE TRANSMITTAL FORM MUST BE RECEIVED AT THE CLEARINGHOUSE BY 5:00 P.M., NEW YORK CITY TIME, ON TUESDAY, JANUARY 31, 1997.

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) 563-0385

By Hand or Overnight Courier:

3525 Sunrise Highway, 2nd Floor
Great River, New York 11739

DESCRIPTION OF CREDITS

Credits (Attach additional list, 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 or Letter of Interpretation Number	Suffolk County Tax Map Number on Letter of Interpretation	Total Number of Credits Represented by Certificates/ Letter of Interpretation	Number of Credits that may be sold at indicated price	
Total Credits:				

PRICE (IN DOLLARS) PER CREDIT AT WHICH CREDITS MAY BE SOLD CHECK ONLY ONE BOX.

<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"/> \$9,000.00	<input type="checkbox"/> \$11,000.00	<input type="checkbox"/> \$13,000.00	<input type="checkbox"/> \$15,000.00

☐ \$ _____ .00 price greater than \$15,000.00

TOTAL PURCHASE PRICE OF SHARES THAT MAY BE SOLD

_____ x \$ _____ = \$ _____
total credits per credit price total price

SIGNATURE

The Credit holder must sign this document to have it considered to establish the Purchase Price for Credits. This must match the name or names listed on either the Pine Barrens Credit Certificate and/or the Letter of Interpretation.

Owner's Name

Co-Owner's Name

Dated: _____

Dated: _____

Capacity (full title)_____

Address (to which documents and payments should be sent)

Telephone Numbers: (____)_____

(____)_____

**Central Pine Barrens
Joint Planning and Policy Commission**

Meeting For: Pine Barrens Credit Clearinghouse

Location: Commission Office

Greatest River

Date /Time: 1/6/97

[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 (Draft) for February 11, 1997 3:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of January 6, 1997 Clearinghouse meeting minutes (*attached*)
- County Treasurer's Report
- Demonstration of Pine Barrens Credit Tracker database

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

C. Update on Letters of Interpretation and Credit Certificates Issued to Date

3. Program Implementation

- Results of Request of Offers
- Procedure for selling Pine Barrens Credits Purchased by the Clearinghouse

4. Meeting Schedule

PINE BARRENS CREDIT CLEARINGHOUSE

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JOHN F. HANLEY, *MEMBER*

MITCHELL H. PALLY, ESQ., *MEMBER*

Clearinghouse Agenda (FINAL) for February 11, 1997 3:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of January 6, 1997 Clearinghouse meeting minutes (*attached*)
- County Treasurer's Report
- Demonstration of Pine Barrens Credit Tracker database

2. Pine Barrens Credit Clearinghouse Applications

A. Letters of Interpretation

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- Issuance of Letters based on staff reports

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C. Update on Letters of Interpretation and Credit Certificates Issued to Date

3. Program Implementation

- Results of Request of Offers
- Procedure for selling Pine Barrens Credits Purchased by the Clearinghouse

4. Meeting Schedule

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PINE BARRENS CREDIT CLEARINGHOUSE

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JOHN F. HANLEY, MEMBER
MITCHELL H. PALLY, ESQ., MEMBER

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for February 11, 1997 (DRAFT) Commission Office Great River, New York 3:00 p.m.

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

The meeting was chaired by Mr. Tripp and called to order at 3:10 p.m.

1. Administrative

- **Public Comment Period**

Summary: Mr. Henry Dittmer commented on a recent Newsday article in which Mitch Pally was quoted as saying that tax reassessments should be done regularly. Mr. Pally stated that those comments were attributable to the Long Island Association and not the Clearinghouse.

- **Ratification of January 6, 1997 Clearinghouse meeting minutes**

A motion was made by Mr. Freleng and seconded by Mr. Grecco to adopt the meeting summary of the January 6, 1997 meeting as amended. The motion was approved unanimously.

- **Capitalization Funds Update and Report from Suffolk County Treasurer's Office**

Summary: Christina Cooke distributed and reviewed the attached financial report for December 1996. In the Clearinghouse's account was \$5,187,469.71. The Clearinghouse's disbursements to date are \$479,900.00 which was used to purchase 47.99 Pine Barrens Credits issued to Olin Warner's property in Riverhead. Additionally, a third section was added to the financial report that is distributed by the Treasurer's. This section deals with the history of investments to date.

- **Logo Contest (not on the agenda)**

Summary: Ray Corwin distributed information regarding the logo contest that the Commission is sponsoring. He stated that anyone is eligible to enter and that the specifications and entry forms can be obtained through the Commission office.

- **Demonstration of Pine Barrens Credit Tracker database**

Summary: Ray Corwin gave a brief overview of the importance of establishing a database tracking system for PBCs. Kumar Grandhi, of the Suffolk County Water Authority (SCWA), a database specialist, has been working on creating such a database. Mr. Grandhi gave a brief presentation of his program and distributed

DRAFT

handouts which accompanied the demonstration. To date, Ms. Trezza, has been entering information on Letter of Interpretation applications. A request was made for comments on the database and a questionnaire was distributed. Mr. Grecco asked if the tracking system was an internal process or a shared database. Jeff Altorfer, of SCWA, responded that Suffolk County Planning has started to use the same software as SCWA and they are looking into sharing databases. He stated that this process is being worked on and data could feasibly be shared among different agencies in the future for tracking purposes.

2. PBC Clearinghouse Letter of Interpretation Applications

• Summary of Clearinghouse Applications

Summary: Mr. Milazzo distributed the staff reports and the table of Letter of Interpretation applications to the members for their consideration. There was a discussion on the Stattelina applications, because the owners live in Norway and it appears they have appointed a representative to apply for the Letters. The Clearinghouse decided to issued Letters to the parcels. However, the information provided by the representative does not authorize him to offer a conservation easement to the parcels if the owners wanted to receive PBCs.

A motion was then made by Mr. Freleng and seconded by Mr. Pally to approve all the allocations as specified (see chart). The motion was approved unanimously.

• Gartenberg Inquiry (not on the agenda)

Summary: Mr. Milazzo reported that the Louis Gartenberg contacted him concerning two Letters of Interpretation issued to his parcels in Riverhead. Mr. Gartenberg was inquiring as to the allocation formula used for his Letters because the parcel's tax bills reported an area larger than that used in the Letters. Staff reported that area figures reported on a surveyed prepared for Mr. Gartenberg in November 1995 by Young and Young, surveyors and corroborated by a survey dated February 7, 1997 by Young and Young, surveyors were used in allocating PBCs to Gartenberg. The Clearinghouse approved of the allocations and reiterated that the surveys take precedence over tax bill's area in all future cases unless there are other determining factors involved.

• Update on Letters of Interpretation and Credit Certificates to Date

Summary: Mr. Milazzo gave an overview of Letters of Interpretation and PBC Certificates issued to date. He stated that the total of PBC Certificates issued to date are: Town of Brookhaven certificates totaling 12.8 credits, Town of Riverhead certificates totaling 47.99 credits, Town of Southampton certificates totaling 1.5 credits. Letters of Interpretations total over 128 credits to date.

3. Program Implementation

• Results of Request for Offers

Summary: Mr. Milazzo distributed a sheet summarizing the results of the reverse auction. He reported that 25% of the Letter of Interpretation holders responded to the solicitation. Based on the responses, a per credit of \$15,000 per credit was established. While the response rate was 25%, 1.42 PBCs were offered although 12 PBCs were sought. The Clearinghouse directed that another Request for Offers be held but instead of mailing only to LOIs holders, a letter be mailed to all Core Property Area owners in the Town of Brookhaven containing both information of applying for a Letter of Interpretation and submitting a response to the Request for Offers. The price range would be between \$7,500.00 - \$15,000.00.

A motion was made by Allan Grecco and seconded by Mitch Pally to extend the "Offer to sell" and authorize the Chairman to sign a solicitation letter for all property owners in the Town of Brookhaven. The motion was carried unanimously.

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- Procedures for selling Pine Barrens credits

Summary: A discussion arose on how to handle the sale of credits purchased by the Clearinghouse. It was mentioned that in New Jersey they auctioned the credits purchased by the Bank in NJ. Allan Grecco stated that the County might be able to assist in an auction process by offering for sale the PBCs that the Clearinghouse owns at the County's real estate auction in May. He reported that these auctions are widely publicized and usually well attended. A specific proposal will be discussed at the next meeting.

- 4. Meeting Schedule

Summary: the next meeting of The Pine Barrens Credit Clearinghouse Board of Advisors will be held on March 11, 1997 at 3:00 p.m. at the Commission Office in Great River.

A motion was made by Mr. Pally and seconded by Mr. Grecco to enter into executive session for the purpose of discussing legal matters. The motion was approved unanimously.

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 February 11, 1997 (FINAL) Commission Office Great River, New York 3:00 p.m.

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

The meeting was chaired by Mr. Tripp and called to order at 3:10 p.m.

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- **Public Comment Period**

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A motion was made by Mr. Freleng and seconded by Mr. Grecco to adopt the meeting summary of the January 6, 1997 meeting as amended. The motion was approved unanimously.

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and a questionnaire was distributed. Mr. Grecco asked if the tracking system was an internal process or a shared database. Jeff Altorfer, of SCWA, responded that Suffolk County Planning has started to use the same software as SCWA and they are looking into sharing databases. He stated that this process is being worked on and data could feasibly be shared among different agencies in the future for tracking purposes.

2. PBC Clearinghouse Letter of Interpretation Applications

• Summary of Clearinghouse Applications

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A motion was then made by Mr. Freleng and seconded by Mr. Pally to approve all the allocations as specified (see chart). The motion was approved unanimously.

• Gartenberg Inquiry (not on the agenda)

Summary: Mr. Milazzo reported that the Louis Gartenberg contacted him concerning two Letters of Interpretation issued to his parcels in Riverhead. Mr. Gartenberg was inquiring as to the allocation formula used for his Letters because the parcel's tax bills reported an area larger than that used in the Letters. Staff reported that area figures reported on a survey prepared for Mr. Gartenberg in November 1995 by Young and Young, surveyors and corroborated by a survey dated February 7, 1997 by Young and Young, surveyors were used in allocating PBCs to Gartenberg. The Clearinghouse approved of the allocations and reiterated that the surveys take precedence over tax bill's area in all future cases unless there are other determining factors involved.

• Update on Letters of Interpretation and Credit Certificates to Date

Summary: Mr. Milazzo gave an overview of Letters of Interpretation and PBC Certificates issued to date. He stated that the total of PBC Certificates issued to date are: Town of Brookhaven certificates totaling 12.8 credits, Town of Riverhead certificates totaling 47.99 credits, Town of Southampton certificates totaling 1.5 credits. Letters of Interpretations total over 128 credits to date.

3. Program Implementation

• Results of Request for Offers

Summary: Mr. Milazzo distributed a sheet summarizing the results of the reverse auction. He reported that 25% of the Letter of Interpretation holders responded to the solicitation. Based on the responses, a per credit of \$15,000 per credit was established. While the response rate was 25%, 1.42 PBCs were offered although 12 PBCs were sought. The Clearinghouse directed that another Request for Offers be held but instead of mailing only to LOIs holders, a letter be mailed to all Core Property Area owners in the Town of Brookhaven containing both information of applying for a Letter of Interpretation and submitting a response to the Request for Offers. The price range would be between \$7,500.00 - \$15,000.00.

A motion was made by Allan Grecco and seconded by Mitch Pally to extend the "Offer to sell" and authorize the Chairman to sign a solicitation letter for all property owners in the Town of Brookhaven. The motion was carried unanimously.

• Procedures for selling Pine Barrens credits

Summary: A discussion arose on how to handle the sale of credits purchased by the Clearinghouse. It

was mentioned that in New Jersey they auctioned the credits purchased by the Bank in NJ. Allan Grecco stated that the County might be able to assist in an auction process by offering for sale the PBCs that the Clearinghouse owns at the County's real estate auction in May. He reported that these auctions are widely publicized and usually well attended. A specific proposal will be discussed at the next meeting.

4. Meeting Schedule

Summary: the next meeting of The Pine Barrens Credit Clearinghouse Board of Advisors will be held on March 11, 1997 at 3:00 p.m. at the Commission Office in Great River.

A motion was made by Mr. Pally and seconded by Mr. Grecco to enter into executive session for the purpose of discussing legal matters. The motion was approved unanimously.

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*

February 6, 1997

Mr. and Mrs. Credit Holder
1234 Main Street
Anytown, NY 12345

Dear Mr. and Mrs. Holder:

Based on all the Transmittal Forms that the Clearinghouse received in response to its solicitation letter dated January 6, 1997, a per credit Purchase Price of \$15,000.00 has been set for Pine Barrens Credits. Based upon your Transmittal Form, you qualify to have 2.00 Pine Barrens Credits purchased for a Total Purchase Price of \$30,000.00.

Enclosed please find a Contract of Sale for Pine Barrens Credits, which has already been signed by the Purchaser. In order to sell your Pine Barrens Credits at the above mentioned price, you must sign and return this Contract of Sale within 15 days of the date of this letter. You must also properly execute the documents described in paragraph two of the Contract of Sale. These documents are also enclosed for your review and execution.

Once these documents are received by the Clearinghouse, we will initiate a title search in accordance with the requirements of the Central Pine Barrens Joint Planning and Policy Commission. If the title search is acceptable and there are no other conditions that would prevent the issuance of Pine Barrens Credits for your property, the Pine Barrens Credit Clearinghouse will have the conservation easement recorded for your property. The enclosed Pine Barrens Credit Certificate Application includes an authorization for the Clearinghouse to record the conservation easement on your behalf. If the title search is not acceptable, the conservation easement will not be recorded.

Once the conservation easement is recorded, a Certificate for the Pine Barrens Credits from your property will be issued in the name of the Purchaser. However, they will not be delivered to the Purchaser until a check in the amount of the Total Purchase Price is delivered. You may be present for this transaction or you may authorize the Clearinghouse to accept the check on your behalf and mail it to you by express mail.

If you have any questions, please feel free to contact the Clearinghouse at (516) 563-0385.

Very truly yours,

James T. B. Tripp

CONTRACT OF SALE FOR PINE BARRENS CREDITS

CONTRACT OF SALE made as of the _____ day of _____, 199__
BETWEEN

Address:

hereinafter called "SELLER," who agrees to sell

PINE BARRENS CREDITS:

and

Address:

hereinafter called "PURCHASER" who agrees to buy the PINE BARRENS CREDITS allocated pursuant to the Letter of Interpretation issued by the Pine Barrens Credit Clearinghouse dated _____, 199__
and associated with the property known as:

Tax Map Designation:

A description satisfactory to the Pine Barrens Credit Clearinghouse will be used in the conservation easement recorded as part of this transaction.

1. The Purchase Price is \$ _____ .00 per Pine Barrens Credit and _____ Pine Barrens Credits are being sold for a TOTAL Purchase Price of \$ _____ .00, payable upon delivery of the Pine Barrens Credit Certificates to the Purchaser by the Pine Barrens Credit Clearinghouse.
2. The Seller agrees to submit to the Pine Barrens Credit Clearinghouse:
 - (a) A fully executed and approved conservation easement for the property,
 - (b) A completed Pine Barrens Credit Certificate Application authorizing the Pine Barrens Credit Clearinghouse to record the conservation easement, and
 - (c) A fully executed Real Property Transfer Gains Tax Affidavit.
3. In accordance with the policies adopted by the Central Pine Barrens Joint Planning and Policy Commission, Seller understands that a title search must be performed for the property.
4. Upon satisfactory completion of the title search and recording of the conservation easement, Seller agrees to the issuance of Pine Barrens Credit Certificates in the name of Purchaser, and payment shall be made by check payable to Seller in accordance with paragraph one. Seller may authorize the Pine Barrens Credit Clearinghouse to accept payment upon delivery of Pine Barrens Credits Certificates to Purchaser.
5. In the event that title is unacceptable to the Pine Barrens Credit Clearinghouse, this contract shall be null and void, the documents in paragraph two will be returned to the Seller, and neither Seller nor Purchaser shall have any further rights against the other. Purchaser and Seller agree that all decisions regarding acceptable title are to be made by the Pine Barrens Credit Clearinghouse and that its decision is final.

Seller

Purchaser

Dated:

Dated:

JOSEPH FREDERICK GAZZA

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

December 22, 1996

Pine Barrens Credit Clearinghouse
3525 Sunrise Highway 2nd Floor
Great River, New York 11739-0587

Re: Conversion of Southampton Town Development Rights to
Pine Barrens Credits

Dear Commission Members,

I am the owner of parcel 0900-330-02-007 which is in the comparable growth area. The Southampton Town Planning Board had authorized a transfer of development rights from 912,870 sq. ft. of other Core Area parcels I had owned to parcel 007, see TDR Declaration L.11691 p.389, copy attached. The TDR parcels "Schedule A" that were sterilized were all within the Core Area and their Title is now with the Town of Southampton, Deed L.11699 p.251, copy attached.

The TDR rights are stored on Lot 007 for future use and I would like to convert the TDRs to PBCs in order to use the credits within the framework of your regulations. Kindly advise of the number of PBCs that my TDRs could be converted to.

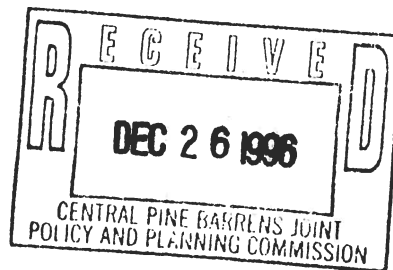
Thank you for your attention to this matter.

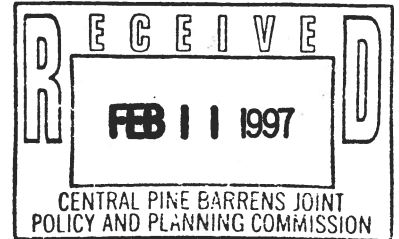
Very truly yours,

JOSEPH FREDERICK GAZZA

Encl.

cc: file





**Pine Barrens Financial Report
For the Month Ending
12/31/96**

Part I

Summary of Principal Balances

Money Market Balance 12/31/96	\$485,663.31	
Certificates of Deposit Balance as of 12/31/96	4,701,806.40	See Part III for details
Total Investment as of: 12/31/96	\$5,187,469.71	
	=====	

Part II

Summary of Pine Barrens Investment

Balance as of 11/21/95 (Inception Date)	\$4,950,000.00
Earnings thru 12/31/96	237,469.71
Disbs. thru 12/31/96	0.00
Balance as of: 12/31/96	\$5,187,469.71
	=====

Part III

Details of CD Investments

Bank	Orig. Date	Maturity Date	# of days	Principal Amt	Int. Rate	Anticipated Int.
North Fork	09/10/96	01/14/97	126	1,500,000.00	5.32%	27,930.00
North Fork	10/01/96	02/04/97	127	1,134,681.40	5.36%	21,455.56
North Fork	11/04/96	03/11/97	127	1,528,125.00	5.38%	29,002.96
North Fork	12/09/96	04/14/97	126	539,000.00	5.36%	10,111.64
Total CDs				\$4,701,806.40		

**Pine Barrens Financial Report
For the Month Ending
12/31/96**

Part IV

Summary of Activity

<u>Money Market</u>		<u>For the Month of December</u>
Beginning Balance @	12/01/96	\$5,028.97
<u>Receipts:</u>		
CD interest transferred into account	\$0.00	
Interest earned on account @2.50%	\$734.34	
Other	479,900.00	
		480,634.34
<u>Disbursements:</u>		
CD Investment	\$0.00	
Other	0.00	
		0.00
Ending Balance @	12/31/96	\$485,663.31

<u>Certificates of Deposit</u>		<u>For the Month of December</u>
Beginning Balance @	12/01/96	\$5,162,806.40
<u>Receipts:</u>		
Additional investment	\$0.00	
Interest earnings on account	\$18,900.00	
Other	0.00	
		18,900.00
<u>Disbursements:</u>		
CD Liquidation to Money Market	\$479,900.00	
Other	0.00	
		479,900.00
Ending Balance @	12/31/96	\$4,701,806.40

Part V

Summary

Beginning Balance @	12/01/96	\$5,167,835.37
Add:		
Interest Earnings		19,634.34
Other additions		479,900.00
Deduct:		
Disbursements		0.00
Other deductions		479,900.00
Ending Balance @	12/31/96	\$5,187,469.71

Letter of Interpretations Applications
February 11, 1997

Applicant(s)	SCTM #: Location	Size in Acres; Zoning	Property Status	Application Status	Gross Allocation	Allocation Notes	Proposed Allocation
Robert and Cora Bentley 27 Tarragona Ct. St. Augustine, FL 32086-7676 1/6/97	200-301-1-15	0.12 Acres A Residence 2	See attached report	Complete	0.048	Qualifies for allocation pursuant to Section 6.7.6.7 of the Plan	0.10
Marit, Karl, Sigmund and Cari Slattelia 1/23/97	200-511-5-32	0.68 A Residence 5	See attached report	Complete	0.1088		0.11
Marit, Karl, Sigmund and Cari Slattelia 1/23/97	200-511-5-37	0.64 A Residence 5	See attached report	Complete	0.1024		0.10

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

Issue Date: 2/6/97

Item	Tax Map Number
	200-511-5-32 &37
Applicant Name	Olay Slattella et al
Location/Access	North side of 14th St, an unimproved paper road north of CR111, Manorville, Town of Brookhaven.
Hagstrom Map #	Map 20, N-27
Aerial #	Not available at this time
Acreage	.68 and .64 acres respectively; 1.32 total.
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	

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

Issue Date: 1/3/97

Item	Tax Map Number:
	200-301-1-15
Applicant Name	Cora & Robert Bentley
Location/Access	Old filed map west of Town line, south of Nugent Drive, Riverhead, Town of Brookhaven. Parcel has access from unimproved, paper road (<i>5th Avenue</i>).
Hagstrom Map #	Map 23, M-29
Aerial #	Not available at this time.
Acreage	.12 acre
Topography/Geologic Features	Gently sloping, draining towards wetland area noted below, approximately 50' 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-48 is located to the immediate east of the subject site.
Vegetative Cover Type	Pitch pine - oak woodland with areas of pine barrens shrub swamp associated with wetlands.
Rare and Endangered Species	There may be some rare or endangered species associated with the above noted wetland area.
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: 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 should 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.

DECEMBER 1, 1996 - NOVEMBER 30, 1997 TAX LEVY
TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK
TAXABLE STATUS DATE MARCH 1, 1996
TAXES BECOME A LIEN DECEMBER 1, 1996

BILL NUMBER
12873
ESTIMATED STATE AID
80,000
10,569,251

IF THIS BILL HAS BEEN SOLD OR TRANSFERRED
MARCH 1, 1996, PLEASE FORWARD BILL TO
OWNER OR RETURN TO THIS OFFICE.
NO FUNDS PAYABLE TO:

NE M. STUKE
RECEIVER OF TAXES
TOWN OF RIVERHEAD
200 HOWELL AVE.
RIVERHEAD, NY 11901

OFFICE PAYMENT HOURS
MON. TO FRI. 9:00 A.M. to 4:30 P.M.
PHONE: 516-727-3200 EXT. 248

NOTE: TAXES ARE PAYABLE BY CHECK, CASH OR MONEY ORDER.
CHECKS WILL BE ACCEPTED SUBJECT TO COLLECTION AND
WHICH THIS OFFICE ASSUMES NO RESPONSIBILITY.
NO CASH, MAIL ACCEPTED.

DESCRIPTION OF PROPERTY
LOTS 9-20 INCL BLK E
373 RIVERVIEW HGTS

TAX BILLING ADDRESS
GARTENBERG LOUIS & PATRICIA
23 VANCOTT AVE
FARMINGDALE NY 11735

OWNER AS OF TAXABLE STATUS DATE OF MARCH 1, 1996
GARTENBERG LOUIS & PATRICIA

EQUALIZATION RATE **31.67**

DIST	SUFFOLK COUNTY TAX MAP NUMBER	LOT	SITE	EXEMPTION DESCRIPTION	EXEMP. CODE	EXEMPTION
600	137-000	0004	011-004			
PROPERTY TYPE	ACREAGE	TAX CODE	ROLL SECTION			
210	4.30	23	1			
PHYSICAL ADDRESS	BANK AND MORTGAGE NUMBER	SWIS	LAND ASSESSMENT	TOTAL ASSESSMENT		
2315 RIVER RD CAL		473000	28300	33300		

LEVY DESCRIPTION	TAXABLE VALUE ADJUSTED BY EXEMPTIONS	TAX RATE PER \$1000	TAX AMOUNT
473002 - RIVERHEAD CSD #2	33,300	52.565	1,750.41
TOTAL TAX LEVIED		SCHOOL	1,750.41
4730 - SUFFOLK COUNTY TAX	33,300	4.988	166.10
TOTAL TAX LEVIED		COUNTY	166.10
4730 - RIVERHEAD TOWN TAX	33,300	21.641	720.65
4730 - HIGHWAY 1,2,3&4	33,300	4.361	145.22
TOTAL TAX LEVIED		TOWN	865.87
FD302 - RVRHD FIRE ZONE 1	33,300	3.568	118.81
LT301 - LIGHT DISTRICT	33,300	0.849	28.27
SC001 - SCAVENGER WASTE DIST	33,300	0.328	10.92
MW208 - REFUSE AND GARBAGE DISTRICT			235.00
TOTAL TAX LEVIED		SP. DIST.	393.00
FIRST HALF TAX	\$1,587.69	SECOND HALF TAX	\$1,587.69
		TOTAL TAX	\$3,175.38

PAID WITHOUT PENALTY TO JAN 10 1997
SEE REVERSE SIDE FOR
PENALTY SCHEDULE
1739
12-23-96

PAYABLE WITHOUT PENALTY TO MAY 31 1997
SEE REVERSE SIDE FOR
PENALTY SCHEDULE.

THIS TOTAL TAX MAY
BE PAID IN ONE OR
TWO INSTALLMENTS

TOWN OF RIVERHEAD, SUFFOLK COUNTY, NEW YORK
 TAXABLE STATUS DATE MARCH 1, 1996
 TAXES BECOME A LIEN DECEMBER 1, 1996

BILL NUMBER 12871
 ESTIMATED STATE AID 80,000
 10,569,251

IF BEEN SOLD OR TRANSFERRED
 1, 1996, PLEASE FORWARD BILL TO
 OR RETURN TO THIS OFFICE.

OFFICE PAYMENT HOURS

MON. TO FRI. 9:00 A.M. to 4:30 P.M.

PHONE: 516-727-3200 EXT. 218

NOTE: TAXES ARE PAYABLE BY CHECK, CASH OR MONEY ORDER.
 CHECKS WILL BE ACCEPTED SUBJECT TO COLLECTION AND
 WHICH THIS OFFICE ASSUMES NO RESPONSIBILITY.
 NO CASH BY MAIL ACCEPTED.

NE M. STUKE
 RIVER OF TAXES
 TOWN OF RIVERHEAD
 200 HOWELL AVE.
 RIVERHEAD, NY 11901

TAX BILLING ADDRESS
 GARTENBERG LOUIS & PATRICIA
 23 VANCOTT AVE
 FARMINGDALE NY 11735

DESCRIPTION OF PROPERTY
 LOTS 50 73 INCL BLK B
 373 RIVERVIEW HTS

OWNER AS OF TAXABLE STATUS DATE OF MARCH 1, 1996
 GARTENBERG LOUIS & PATRICIA

EQUALIZATION RATE 31.67

DIST	SUFFOLK COUNTY TAX MAP NUMBER	LOT	SITE	EXEMPTION DESCRIPTION	EXEMP. CODE	EXEMPTION
000	137.000	0004	010.004			
PROPERTY TYPE	ACREAGE	TAX CODE	ROLL SECTION			
311	1.70	23	1			
PHYSICAL ADDRESS	BANK AND MORTGAGE NUMBER	SWIS	LAND ASSESSMENT	TOTAL ASSESSMENT		
319 2311 RIVER RD CAL		473000	11200	11200		

LEVY DESCRIPTION	TAXABLE VALUE ADJUSTED BY EXEMPTIONS	TAX RATE PER \$1000	TAX AMOUNT
73002 - RIVERHEAD CSD #2	11,200	52.565	588.73
TOTAL TAX LEVIED		SCHOOL	588.73
730 - SUFFOLK COUNTY TAX	11,200	4.988	55.87
TOTAL TAX LEVIED		COUNTY	55.87
730 - RIVERHEAD TOWN TAX	11,200	21.641	242.38
730 - HIGHWAY 1,2,3&4	11,200	4.361	48.84
TOTAL TAX LEVIED		TOWN	291.22
0302 - RVRHD FIRE ZONE 1	11,200	3.568	39.96
0301 - LIGHT DISTRICT	11,200	0.849	9.51
0001 - SCAVENGER WASTE DIST	11,200	0.328	3.67
TOTAL TAX LEVIED		SP. DIST.	53.14
FIRST HALF TAX	\$494.48	SECOND HALF TAX	\$494.48
		TOTAL TAX	\$988.96

WITHOUT PENALTY TO JAN. 10, 1997
 REVERSE SIDE FOR
 PENALTY SCHEDULE.

#1740 12-23-96

PAYABLE WITHOUT PENALTY TO MAY 31, 1997
 SEE REVERSE SIDE FOR
 PENALTY SCHEDULE

THIS TOTAL TAX MAY
 BE PAID IN ONE OR
 TWO INSTALLMENTS

**Central Pine Barrens
Joint Planning and Policy Commission**

Meeting For: PBC Clearinghouse

Location: Commission Office
Great River NY

Date/Time: 2/11/97 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 (DRAFT) for March 26, 1997 3:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of February 11, 1997 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
- Policy on expired Letters of Interpretations

B. Pine Barrens Credit Certificates

C. Discussion of request of Joseph Gazza

3. Program Implementation

- Request for Offers Implementation
- Balance of capitalization funds through NYS DEC contract: status
- Proposed ECL amendment re conservation easements: resolution of support

4. Meeting Schedule

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 March 26, 1997 3:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of February 11, 1997 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
- Policy on expired Letters of Interpretations

B. Pine Barrens Credit Certificates

C. Discussion of request of Joseph Gazza

3. Program Implementation

- Request for Offers Implementation
- Balance of capitalization funds through NYS DEC contract: status
- Proposed ECL amendment re conservation easements: resolution of support

4. Meeting Schedule

DRAFT

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 March 26, 1997 (DRAFT)
Commission Office Great River, New York 3:00 p.m.**

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

The meeting was chaired by Mr. Tripp and called to order at 3:15 p.m.

1. Administrative

- Public Comment Period

Summary: There were no public comments at this time.

- Ratification of February 11, 1997 Clearinghouse meeting minutes

A motion was made by Mr. Grecco and seconded by Mr. Hanley to adopt the meeting summary of the February 11, 1997 meeting as amended. The motion was approved unanimously.

- Capitalization Funds Update and Report from Suffolk County Treasurer's Office
Summary: Christina Cooke distributed and reviewed the attached financial reports for January and February '97. The Clearinghouse's sole disbursement was in the amount of \$479,900.00. Those funds were used to purchase 47.99 Pine Barrens Credits issued to the Warner property in Riverhead. As the statement indicates the closing balance at the end of February 1997 was \$4,757,139.55. Pursuant to the contract with the New York State Department of Environmental Conservation (the "DEC"), \$50,000.00 of the \$5 million capitalization funds were held by the DEC pending satisfactory submission of several items. Mr. Corwin reported that all of the elements were completed and he submitted paperwork indicating the same to DEC. The DEC accepted and approved the paperwork and informed him that the final payment would be released shortly. The

DRAFT

Clearinghouse directed that if the check was received before the next Clearinghouse meeting that it be deposited in the money market account until the next CD matures. At that point it would then be put into the CD to be rolled over.

2. **PBC Clearinghouse Letter of Interpretation Applications**

• **Summary of Clearinghouse Applications**

Summary: Mr. Milazzo distributed the staff reports and table of Letter of Interpretation applications to the members for their consideration. Mr. Milazzo addressed the Letter of Interpretation applications of four parcels in the Town of Brookhaven zoned HF (Horse Farm). The zoning category permits all uses in the A Residence District, which allows one unit per 30,000 s.f. Extrapolating from the allocation formulas in the Plan, the development yield factor would be 1.2 PBCs per acre. Mr. Milazzo further stated that one credit would be subtracted for the existing single family residence on one of the parcels. Mr. Tripp recommended language be inserted in the Letters of Interpretation indicating that the Clearinghouse reserves the right to modify the pre-approved conservation easement for these parcels if the landowners decides to apply for and receive Pine Barrens Credits.

A motion was made by Mr. Grecco and seconded by Mr. Freleng to approve the allocation of 21.83 credits on the Cavalli application. The motion was approved unanimously.

A motion was made by Mr. Freleng and seconded by Mr. Hanley to approve all remaining allocations as specified (see chart). The motion was approved unanimously.

At this point a discussion arose on expired Letters of Interpretation and how to handle them. Mr. Milazzo stated that the Plan says that after a year the applicant must reapply for a new letter. It was discussed among members that the process to reapply should be made relatively simple. The Clearinghouse members suggested that the staff inform holders of expired Letters of Interpretation and inquire if they wanted to reapply for the same using a simple re-application form.

• **PBC Certificates**

Summary: Mr. Milazzo summarized the last recorded sale in the Town of Brookhaven was \$15,000.00 per credit. He also discussed that the first certificate has been sold in Southampton for 0.30 credits at \$3,00.00 or a prorated per credit price of \$10,000.00. There have been no sales to date on the open market in Riverhead.

3. **Program Implementation**

• **Results of Request for Offers I**

Summary: Mr. Milazzo stated that one of the purchasers has withdrawn his offer to purchase PBCs. Mr. Milazzo has drawn up an agreement to release Mr. Serota from his

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obligations in the request for offers procedure.

A motion was made by Allan Grecco and seconded by Andy Freleng to release Mr. Serota from his obligations in the reverse auction. The motion was carried unanimously.

- **Request for Offers II**

Summary: The Clearinghouse staff is preparing a second Request for Offers, seeking 6.58 Pine Barrens Credits. At the last Clearinghouse meeting, the intended recipients of this Request for Offers was expanded to include all owners of Town of Brookhaven Core Preservation Area property. Reviewing this directive, the Clearinghouse decided to revise the scope of the mailing to only current Letter of Interpretation holders within the Town of Brookhaven in order to expedite the process. In reviewing the draft Request for Offer materials, it was decided that the letter should be revised to grab the attention of the people it is being sent to.

A motion was made by Andy Freleng and seconded by Allan Grecco to approve the modification of the letter being sent for the Request for Offers to Letter of Interpretation holders in the Town of Brookhaven. The motion was carried unanimously.

In order to facilitate private PBC transactions, a discussion ensued on whether the Clearinghouse staff could arrange private transactions of PBCs beyond the Request for Offers mechanism. The debate involved different actions the Clearinghouse staff could take. No resolution was achieved and no decision made on the type of actions that would be undertaken. Staff members expressed a reluctance for arranging PBC transactions beyond administering the Request for Offers program.

- **Proposed ECL 49 Amendment re Conservation easements; resolution of support**
Summary: Counsel and Mr. Corwin discussed the proposed amendment to ECL 49 which would extend the coverage of ECL 49 to the Central Pine Barrens Joint Planning and Policy Commission. They asked for a Clearinghouse resolution to support the proposed amendment.

A motion was made by Mr. Pally and seconded by Mr. Grecco to support the amendment to ECL 49. The motion was approved unanimously.

- **Other mechanisms to involve Property owners in PBC Program (not on the agenda)**
Summary: Mr. Tripp summarized an idea that may increase participation in the Pine Barrens Credit Program. The proposal involves mailing a letter to all owners of Core Preservation Area parcels eligible for one credit or less informing them that the Clearinghouse is willing to spend \$1 million dollars to purchase PBCs. The recipients could then apply for PBCs and also indicate a price at which they would sell their PBCs,

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when they were issued. The Clearinghouse could then purchase up to \$1 million dollars worth of the tendered PBCs. Mr. Buzz Schwenk of OmniBuzz Associates, expressed his belief that this proposal would benefit both property owners and credit purchasers. According to Mr. Schwenk, the property owners would benefit by having access to a ready purchaser. The PBC purchasers would benefit by being able to purchase PBCs from the Clearinghouse directly, given their ready supply. A side effect of this proposal is that PBCs could be sold pursuant to this process at a higher rate than the Clearinghouse's present outstanding offer. Counsel stated that the proposal legal issues were intertwined with the proposal.

A motion was made by Mr. Pally and seconded by Mr. Freleng to approve the small lot owner program in concept to be worked on with staff and Counsel. The motion was approved in a 3-1-1 vote, with Jack Hanley voting no and Allan Grecco abstaining.

Mr. Hanley initiated a discussion after the vote by stating that he felt that the program in concept was discriminating and setting a bad precedent. He was also not in favor of buying credits for more than the established price. He argued that if the program was marketed better there would be a more positive response from land owners. To this end, he suggested that the Clearinghouse hire a marketing company to review the Clearinghouse correspondence on the program. A discussion was held on whether or not to hire a marketing firm to help get the program off the ground. The motion was voted on again.

A motion was made by Mr. Pally and seconded by Mr. Freleng to approve the small lot owner program in concept to be worked on with staff and Counsel. The motion was approved unanimously.

A motion was made by Mr. Pally and seconded by Mr. Grecco to approach the Commission on the hiring of a marketing firm concerning the Pine Barrens Credit Program. The motion was approved unanimously.

4. Joseph Gazza Discussion

Summary: Mr. Milazzo reviewed the request made by Joseph Gazza to convert his Town of Southampton Development Right (TOSDRs) converted to PBCs. He presently has these TOSDRs stored on a parcel in the Compatible Growth Area. The Clearinghouse entertained his written request at the January 6, 1997 meeting and stated that PBCs would not be issued for the Town Rights. In response to the Clearinghouse's letter, Mr. Gazza asked for the opportunity to address the Clearinghouse Board on this issue. A detailed discussion ensued on whether or not this issue is for the Clearinghouse or the Commission. After a lengthy discussion of the problem it was decided that the issue should be brought to the Commission.

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A motion was made by Mr. Tripp and seconded by Mr. Hanley to deny the allocation of PBCs for TOSDRs and to bring this problem to the Commission for a decision. The motion was approved unanimously.

5. **Meeting Schedule**

Summary: the next meeting of The Pine Barrens Credit Clearinghouse Board of Advisors will be held on May 6, 1997 at 4:00 p.m. at the Commission Office in Great River.

There was no formal motion to adjourn.

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 March 26, 1997 (FINAL) Commission Office Great River, New York 3:00 p.m.

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

The meeting was chaired by Mr. Tripp and called to order at 3:15 p.m.

1. Administrative

- Public Comment Period
Summary: There were no public comments at this time.
- Ratification of February 11, 1997 Clearinghouse meeting minutes

A motion was made by Mr. Grecco and seconded by Mr. Hanley to adopt the meeting summary of the February 11, 1997 meeting as amended. The motion was approved unanimously.

- Capitalization Funds Update and Report from Suffolk County Treasurer's Office
Summary: Christina Cooke distributed and reviewed the attached financial reports for January and February '97. The Clearinghouse's sole disbursement was in the amount of \$479,900.00. Those funds were used to purchase 47.99 Pine Barrens Credits issued to the Warner property in Riverhead. As the statement indicates the closing balance at the end of February 1997 was \$4,757,139.55. Pursuant to the contract with the New York State Department of Environmental Conservation (the "DEC"), \$50,000.00 of the \$5 million capitalization funds were held by the DEC pending satisfactory submission of several items. Mr. Corwin reported that all of the elements were completed and he submitted paperwork indicating the same to DEC. The DEC accepted and approved the

paperwork and informed him that the final payment would be released shortly. The Clearinghouse directed that if the check was received before the next Clearinghouse meeting that it be deposited in the money market account until the next CD matures. At that point it would then be put into the CD to be rolled over.

2. PBC Clearinghouse Letter of Interpretation Applications

• Summary of Clearinghouse Applications

Summary: Mr. Milazzo distributed the staff reports and table of Letter of Interpretation applications to the members for their consideration. Mr. Milazzo addressed the Letter of Interpretation applications of four parcels in the Town of Brookhaven zoned HF (Horse Farm). The zoning category permits all uses in the A Residence District, which allows one unit per 30,000 s.f. Extrapolating from the allocation formulas in the Plan, the development yield factor would be 1.2 PBCs per acre. Mr. Milazzo further stated that one credit would be subtracted for the existing single family residence on one of the parcels. Mr. Tripp recommended language be inserted in the Letters of Interpretation indicating that the Clearinghouse reserves the right to modify the pre-approved conservation easement for these parcels if the landowners decide to apply for and receive Pine Barrens Credits.

A motion was made by Mr. Grecco and seconded by Mr. Freleng to approve the allocation of 21.83 credits on the Cavalli application. The motion was approved unanimously.

A motion was made by Mr. Freleng and seconded by Mr. Hanley to approve all remaining allocations as specified (see chart). The motion was approved unanimously.

At this point a discussion arose on expired Letters of Interpretation and how to handle them. Mr. Milazzo stated that the Plan says that after a year the applicant must reapply for a new letter. It was discussed among members that the process to reapply should be made relatively simple. The Clearinghouse members suggested that the staff inform holders of expired Letters of Interpretation and inquire if they wanted to reapply for the same using a simple re-application form.

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Summary: Mr. Milazzo summarized the last recorded sale in the Town of Brookhaven was \$15,000.00 per credit. He also discussed that the first certificate has been sold in Southampton for 0.30 credits at \$3,00.00 or a prorated per credit price of \$10,000.00. There have been no sales to date on the open market in Riverhead.

3. Program Implementation

• Results of Request for Offers I

Summary: Mr. Milazzo stated that one of the purchasers has withdrawn his offer to

purchase PBCs. Mr. Milazzo has drawn up an agreement to release Mr. Serota and the Clearinghouse from their obligations in the request for offers procedure.

A motion was made by Allan Grecco and seconded by Andy Freleng to release Mr. Serota and the Clearinghouse from their respective obligations in the reverse auction. The motion was carried unanimously.

- **Request for Offers II**

Summary: The Clearinghouse staff is preparing a second Request for Offers, seeking 6.58 Pine Barrens Credits. At the last Clearinghouse meeting, the intended recipients of this Request for Offers was expanded to include all owners of Town of Brookhaven Core Preservation Area property. Reviewing this directive, the Clearinghouse decided to revise the scope of the mailing to only current Letter of Interpretation holders within the Town of Brookhaven in order to expedite the process. In reviewing the draft Request for Offer materials, it was decided that the letter should be revised to grab the attention of the people it is being sent to.

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- **Proposed ECL 49 Amendment re Conservation easements; resolution of support**

Summary: Counsel and Mr. Corwin discussed the proposed amendment to ECL 49 which would extend the coverage of ECL 49 to the Central Pine Barrens Joint Planning and Policy Commission. They asked for a Clearinghouse resolution to support the proposed amendment.

A motion was made by Mr. Pally and seconded by Mr. Grecco to support the amendment to ECL 49. The motion was approved unanimously.

- **Other mechanisms to involve Property owners in PBC Program (not on the agenda)**

Summary: Mr. Tripp summarized an idea that may increase participation in the Pine Barrens Credit Program. The proposal involves mailing a letter to all owners of Core Preservation Area parcels eligible for one credit or less informing them that the

Clearinghouse is willing to spend \$1 million dollars to purchase PBCs. The recipients could then apply for PBCs and also indicate a price at which they would sell their PBCs, when they were issued. The Clearinghouse could then purchase up to \$1 million dollars worth of the tendered PBCs. Mr. Buzz Schwenk of OmniBuzz Associates, expressed his belief that this proposal would benefit both property owners and credit purchasers. According to Mr. Schwenk, the property owners would benefit by having access to a ready purchaser. The PBC purchasers would benefit by being able to purchase PBCs from the Clearinghouse directly, given their ready supply. A side effect of this proposal is that PBCs could be sold pursuant to this process at a higher rate than the Clearinghouse's present outstanding offer. Counsel stated that the proposal legal issues were raised by the proposal.

Mr. Hanley initiated a discussion after the vote by stating that he felt that the program in concept was discriminating and setting a bad precedent. He was also not in favor of buying credits for more than the established price. He argued that if the program was marketed better there would be a more positive response from land owners. To this end, he suggested that the Clearinghouse hire a marketing company to review the Clearinghouse correspondence on the program. A discussion was held on whether or not to hire a marketing firm to help get the program off the ground. The motion was voted on again.

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4. Joseph Gazza Discussion

Summary: Mr. Milazzo reviewed the request made by Joseph Gazza to convert his Town of Southampton Development Right (TOSDRs) converted to PBCs. He presently has these TOSDRs stored on a parcel in the Compatible Growth Area. The Clearinghouse entertained his written request at the January 6, 1997 meeting and stated that PBCs would not be issued for the TOSDRs. In response to the Clearinghouse's letter, Mr. Gazza asked for the opportunity to address the Clearinghouse Board on this issue. A detailed discussion ensued on whether or not this issue is for the Clearinghouse or the Commission. After a lengthy discussion of the problem it was decided that the issue should be brought to the Commission.

A motion was made by Mr. Tripp and seconded by Mr. Hanley to deny the allocation of PBCs for TOSDRs and to bring this problem to the Commission for a decision. The motion was

approved unanimously.

5. Meeting Schedule

Summary: the next meeting of The Pine Barrens Credit Clearinghouse Board of Advisors will be held on May 6, 1997 at 4:00 p.m. at the Commission Office in Great River.

There was no formal motion to adjourn.

PINE BARRENS CREDIT CLEARINGHOUSE

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JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

MEMORANDUM

TO: Clearinghouse Members and Counsel

FROM: John C. Milazzo

RE: March 26, 1997 Clearinghouse meeting

DATE: March 24, 1997

PAGES: 6 total

Please find attached the draft agenda for Wednesday's meeting, and the draft minutes from last month's meeting.

An agenda item is a discussion of Joseph Gazza's request to have Pine Barrens Credits (PBCs) allocated to Town of Southampton Development Rights (TOSDRs) stored on a parcel in the Compatible Growth Area. The Clearinghouse, previously entertained this request at its January 6, 1997 meeting and directed staff to write Mr. Gazza indicating that Credits would not be issued for the Town Rights. Mr. Gazza subsequently requested the opportunity to address the Clearinghouse on the issue.

In January it was noted that the *Plan* directs that PBCs be allocated to parcels of land in the Core Preservation Area or other *Plan* designated sending areas. The parcel where the TOSDRs are stored is not in either of these areas. Furthermore, the TOSDRs are not "parcels" of land.

A distinction can be drawn between the present case where TOSDRs were transferred to a CGA parcel from Mr. Gazza's appeal decided on September 30, 1996 in which TOSDRs were transferred and stored on 4 Core Preservation Area parcels. In the latter instance, as part of the Clearinghouse's appeal decision, 10.00 Pine Barrens Credits were allocated to 678,140/200,000 TOSDRs stored on Mr. Gazza's "College Parcels." The rationale for that allocation was to allocate one PBC for each of the 3.4 units represented by the 678,140/200,000 TOSDRs and to allocate 0.20 PBCs for each of the 33 conveyances of land generating the TOSDRs to The Nature

Conservancy for a total of 6.6 PBCs.

Mr. Gazza has stored 912,870/200,000 TOSDRs generated from 22 parcels on the CGA parcel. After severing the TOSDRs from the 22 parcels, Mr. Gazza donated them to the Town of Southampton. Analysis reveals that 20 of the parcels with a cumulative area of 884,870/200,000 TOSDRs are located in the Core.

Mr. Gazza requests that the TOSDRs be converted to PBCS because

- (1) The Town declared the intent and purpose of the TDR . . . was to allow the TDRs to be transferred to other sites.
- (2) With the enactment of the Pine Barrens Law the 'other sites' to which the TDRs could be transferred to became extinct, as 99.9% of old filed maps in the Westhampton School District are now in 'Core Areas' and no longer available to development.
- (3) A conversion of TDRs to PBCs will allow [him] a market for the credits and flexibility to work within the Pine Barrens Program.

(Gazza Letter, February 5, 1997). There is no statutory or *Plan* imposed decision deadline for this matter.

Allocation Options

No Allocation			
Plan requires allocations to "parcels" in Core Preservation Area or other sending area			
Allocation Pursuant to Plan's Formulas			
Area	Acreage	Yield Factor	Total Number of PBCs
884,870	$884,870/43,560 = 20.31$	0.16	$20.31 \times 0.16 = 3.25$
Allocation Pursuant to September 30, 1996 Appeal Decision			
Area	Units	Bonus	Total Number of PBCs
884,870	$884,870/200,000 = 4.42$	$20 \times 0.20 = 4.00$	$4.42 + 4.00 = 8.42$
OTHER (?)			

Please feel free to contact me at 563-5692, if you have questions on any of these items.

Thank you

Letter of Interpretations Applications
March 27, 1997

Applicant(s)	SCTM # Location	Size in Acres; Zoning	Property Status	Application Status	Gross Allocation	Allocation Notes	Proposed Allocation
Anthony Coraci 550 Wm. Floyd Parkway P.O. Box 426 Shirley, NY 11967	200-294-4-12	4.36 Acres A Residence 2	See attached report	Complete	4.366 x .4 = 1.744		1.74
Anthony and Lucille Cavalli 164 North Street Manorville, NY 11949	200-460-2-4.1	3.41 Acres HF (Horse Farm) allows one unit per 30,000 s.f.	See attached report	Complete	3.41 x 1.2 = 4.092	Property developed with single family home and 2 barns	
Anthony and Lucille Cavalli 164 North Street Manorville, NY 11949	200-460-2-4.2	4.12 Acres HF (Horse Farm) allows one unit per 30,000 s.f.	See attached report	Complete	4.12 x 1.2 = 4.944	Property used for horse farm	
Anthony and Lucille Cavalli 164 North Street Manorville, NY 11949	200-460-2-4.3	4.20 Acres HF (Horse Farm) allows one unit per 30,000 s.f.	See attached report	Complete	4.20 x 1.2 = 5.04	Property used for horse farm	
Lucille Cavalli 164 North Street Manorville, NY 11949	200-460-2-4.4	7.30 Acres HF (Horse Farm) allows one unit per 30,000 s.f.	See attached report	Complete	7.30 x 1.2 = 8.76	Property used for horse farm	
Esther Schiffer Gorman 7959 McGroarty Rd Sunland, CA 91040	200-500-2-16	0.09 Acres A Residence 5	See attached report	Complete	0.09 x 0.16 = 0.0144	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10

Mercedes Broderick 31 Terry Drive Sag Harbor, NY 11963	200-529-2-22	0.23 Acres A Residence 5	See attached report	Complete	$0.23 \times 0.16 = 0.0368$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Developmental Disabilities Institute, Inc. 99 Hollywood Drive Smithtown, NY 11787	200-530-2-8	0.46 Acres A Residence 5	See attached report	Complete	$0.46 \times 0.16 = 0.0736$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Robert Allen 31-72 44th Street Astoria, NY 11103	200-562-4-14	0.36 Acres A Residence 5	See attached report	Complete	$0.36 \times 0.16 = 0.0576$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Robert Allen 31-72 44th Street Astoria, NY 11103	200-562-4-15	0.36 Acres A Residence 5	See attached report	Complete	$0.36 \times 0.16 = 0.0576$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-193-5-10	0.46 Acres Country Residence 200	See attached report	Complete	$0.46 \times 0.16 = 0.0736$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-193-5-24	0.23 Acres Country Residence 200	See attached report	Complete	$0.23 \times 0.16 = 0.0368$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-193-6-5	0.28 Acres Country Residence 200	See attached report	Complete	$0.28 \times 0.16 = 0.0448$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10

Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-193-6-9	1.98 Acres Country Residence 200	See attached report	Complete	1.98 x 0.16= 0.3168		0.32
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-193-6-12	0.23 Acres Country Residence 200	See attached report	Complete	0.23 x 0.16= 0.0368	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-193-7-7	0.11 Acres Country Residence 200	See attached report	Complete	0.11 x 0.16= 0.0176	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-193-7-8	0.46 Acres Country Residence 200	See attached report	Complete	0.46 x 0.16= 0.0736	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-213-1-69	0.56 Acres Country Residence 200	See attached report	Complete	0.56 x 0.16= 0.0896	Qualifies for minimum allocation of 1.00 PBCs pursuant to §6.7.6.6 and frontage on CR 51	1.00
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-213-1-80	21 feet (according to tax bill) (0.000482 acres) Country Residence 200	See attached report	Complete	0.000482 x 0.16= 0.00007712	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10

Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-213-1-88	0.22 Acres Country Residence 200	See attached report	Complete	0.22 x 0.16= 0.0352	Qualifies for minimum allocation of 1.00 PBCs pursuant to §6.7.6.6 and frontage on CR 51	1.00
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-213-1-90	0.40 Acres Country Residence 200	See attached report	Complete	0.40 x 0.16= 0.064	Qualifies for minimum allocation of 1.00 PBCs pursuant to §6.7.6.6 and frontage on CR 51	1.00
Next Generation Land Co. C/o Philip Venti 7 Heller Court Dix Hills, NY 11746	900-213-1-92	0.28 Acres Country Residence 200	See attached report	Complete	0.28 x 0.16= 0.0448	Qualifies for minimum allocation of 1.00 PBCs pursuant to §6.7.6.6 and frontage on CR 51	1.00
John DeRosa 123 Turtle Cove Lane Huntington, NY 11743	900-335-1-1	0.46 Acres Country Residence 200	See attached report	Complete	0.46 x 0.16= 0.0736	Reapplication for expired LOI; Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
John DeRosa 123 Turtle Cove Lane Huntington, NY 11743	900-335-1-2	0.37 Acres Country Residence 200	See attached report	Complete	0.37 x 0.16= 0.0592	Reapplication for expired LOI; Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10

PINE BARRENS CREDIT CLEARINGHOUSE

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Clearinghouse Agenda (DRAFT) for August 25, 1997 3:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of June 23, 1997 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

3. Program Implementation

- Marketing proposal - Status
- Pine Barrens Credit Program "Fair"

4. Annual Reporting Requirements

- 1st Clearinghouse Annual Report
- 2nd Commission Report

5. Meeting Schedule

6. Executive Session (if needed)

Next Clearinghouse meeting: ?????

Commission office, Sunrise Highway, Great River

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MITCHELL H. PALLY, ESQ., MEMBER

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for August 25, 1997 (DRAFT) Commission Office Great River, New York 3:00 p.m.

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

The meeting was chaired by Mr. Tripp and called to order at 3:10 p.m.

1. **Administrative**

• **Public Comment Period**

Summary: There were no public comments at this time.

• **Ratification of June 23, 1997 Clearinghouse meeting minutes**

A motion was made by Mr. Pally and seconded by Mr. Hanley to adopt the meeting summary of the June 23, 1997 meeting. The motion was approved unanimously.

• **Capitalization Funds Update and Report from Suffolk County Treasurer's Office**

Summary: Christina Cooke distributed and reviewed the attached financial report for the months of June and July 1997. As the statement indicates the closing balance at the end of July, 1997 was \$4,842,291.83. Ms. Cooke also reported that \$81,800.00 was disbursed for the purchase of the Gartenberg's 8.18 Riverhead credits. Mr. Hanley inquired as to whether or not the CD that matured was put out to bid after the discussion at the previous meeting. Ms. Cooke stated that the County Treasurer did not put it out to bid.

• **Nicholas Report** (this item is not listed on the agenda)

Summary: The attached memo from Dr. Nicholas, dated July 21, 1997, requesting additional data points for his analysis of the Riverhead receiving area was distributed. The Commission was alerted of this need and it was estimated that the per appraisal could be as high as \$600.00. Mr. Tripp suggested that the reanalysis is necessary given the removal of a Riverhead receiving area. Ray Corwin suggested that Dr. Nicholas should be contacted by telephone to determine

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the number of appraisals required. At this point the meeting was adjourned so that Mr. Tripp would be able to speak to Dr. Nicholas concerning this issue.

A motion was made by Mr. Pally and seconded by Mr. Duffy to adjourn the meeting temporarily so that Mr. Tripp could speak to Dr. Nicholas regarding the analysis that is being done on the Riverhead receiving areas. The motion was carried unanimously.

The meeting was reopened at 3:45. Mr. Tripp stated that after speaking to Dr. Nicholas that 10 appraisals might be enough to do the analysis, which should bring the costs down substantially.

A motion was made by Mr. Pally and seconded by Mr. Hanley to urge the Commission to approve the 10 appraisals needed to aid Dr. Nicholas. The motion was carried unanimously.

Meeting Schedule

Summary: The next meeting of the Pine Barrens Credit Clearinghouse Board of Advisors will be held on September 30, 1997 at 3:00 p.m. at the Commission Office in Great River.

3. PBC Clearinghouse Applications

A. Letters of Interpretation

Baranello Application

Summary: A site inspection of SCTM #200-294-4-11 revealed what appeared to be recent clearing. The issue for the Clearinghouse was whether it wanted to allocate PBCs to site, in light of the alleged clearing. After an extensive discussion it was decided that an affidavit would be required as to when the property was actually cleared. If the property was cleared prior to June 1993 there would be no problem, but if it was cleared after July 13, 1993 when the amendments to New York State Environmental Conservation Law Article 57 were signed into law a violation of that Article could have occurred. To address this issue the Clearinghouse members directed that a question be added to the Letter of Interpretation applications asking if a parcel was cleared.

A motion was made by Mr. Duffy and seconded by Mr. Tripp to require an affidavit regarding the clearing done to the Baranello parcel. The motion was carried unanimously.

Mavis Branch-Bayne Application

Summary: This is a renewal application for which the applicant had applied for a PBC Certificate, for which an informational search had been performed and for which a pre-approved easement mailed to the applicant's attorney. However, subsequent to the mailing of the easement, the Town of Southampton revised its allocation formula. The question for the Clearinghouse was whether the PBC allocation in response to the renewal application should reflect the revised allocation formula or whether it should remain the same. The Clearinghouse members stated that the allocation should remain the same since the allocation would only change by 0.02 of a credit.

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A motion was made by Mr. Duffy and seconded by Mr. Pally to approve the Mavis Branch-Bayne application under Southampton's old allocation formula. The motion was carried unanimously.

- Summary of Clearinghouse Applications

Summary: The Clearinghouse then discussed the issuance of Letters of Interpretation (LOIs) as per the attached chart. The members discussed whether LOIs should be issued to non-residential parcels with known questions to the validity of the applicant's title.

A motion was made by Mr. Tripp and seconded by Mr. Duffy not to issue LOIs to non-residential parcels with known title problems. The motion was approved unanimously.

A motion was made by Mr. Pally and seconded by Mr. Duffy to approve all Letters of Interpretation applicants and renewals (see chart). The motion was approved unanimously.

B. Pine Barrens Credit Certificates

Mr. Tripp signed a certificate for Joseph Gazza who had purchased 0.20 PBCs.

- Jagel Family Associates (not on the agenda)

Summary: Jagel Family Associates (JFA) represents the 100th acre protected by the Pine Barrens Credit Program. Mr. Milazzo discussed the issue of publicizing this event through a small ceremony that would take place at the September 17, 1997 Commission meeting. Mr. Pally felt that this would be an excellent opportunity for a media event to promote the program. The staff will work with Mr. Pally on the details of this event. Furthermore, Mr. Milazzo requested the Clearinghouse to ratify the Letter of Interpretation issued for 7.92 PBCs for SCTM#200-382-2-14 dated March 8, 1996 owned by JFA which parcel was protected by an easement given that the LOI had expired prior to JFA's application for PBCs.

A motion was made by Mr. Tripp and seconded by Mr. Pally to ratify the allocation contained in the expired Letter of Interpretation issued to JFA for SCTM #200-382-2-14 and to issue a new LOI as per the application chart for SCTM #200-382-1-9 also owned by JFA. The motion was carried unanimously.

3. Program Implementation

- Marketing Proposal

Summary: The final draft from the Sandpiper Group still had not been received. Upon receipt it will be distributed for comments.

- Reverse Auction (not on the agenda)

Summary: The reverse auction was summarized. OmniBuzz Associates purchased 5.88 PBCs and the Suffolk County Water Authority purchased 1.6. The remaining PBCs are being processed. These successes should be reported at the ceremony tentatively scheduled for September 17, 1997. It was reported that five parties have expressed an interest in participating in the next reverse auction.

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- **Pine Barrens Credit Fair**

Summary: As previously discussed the Clearinghouse will be sponsoring a "Fair" discussing the Pine Barrens Credit Program in October. The sponsors of the event will be LIA, CIBS, LIBI and the Pine Barrens Credit Clearinghouse. The LIA will be hosting the event with Mitch Pally coordinating the effort.

- 4. **Annual Reporting Requirements**

- **1st Clearinghouse Annual Report**

Summary: The Pine Barrens Comprehensive Land Use Plan requires the Clearinghouse prepare an Annual Report. This report will be incorporated into the Commission's Second Annual Report. Mr. Milazzo distributed various charts that track the PBC transactions. Members of the Board had several comments on the charts' layout.

A motion was made by Mr. Hanley and seconded by Mr. Duffy to approve the report as amended to be released to the public at the September 17, 1997 Commission meeting. The motion was carried unanimously

An error discovered in the PBC allocation to SCTM #900-213-1-6 owned by Next Generation Land Company was brought to the Board's attention. The Board revised the allocation from 1.0 PBCs to 0.10 PBCs. The applicant knew of the error.

A motion was made by Mr. Duffy and seconded by Mr. Pally to change the allocation on parcel 900-213-1-69, Next Generation Land Co., from 1.0 to 0.1. The motion was carried unanimously.

A motion was made by Mr. Duffy and seconded by Mr. Pally to adjourn the meeting and enter executive session. The motion was carried unanimously.

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Attachments (to be attached to final minutes)

- 1. Suffolk County Treasurers report**
- 2. Memo from Dr. Nicholas, dated July 21, 1997**
- 3. Letter of Interpretation Application Chart**
- 4. Staff reports for LOI applications**
- 5. Section 6.8 of the Central Pine Barrens Comprehensive Land Use Plan**
- 6. Summary charts of Pine Barrens Credit Clearinghouse activities**

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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
516-224-2604 / Fax 516-224-7653

Request for Proposals Central Pine Barrens Riverhead Receiving Area "A" October __, 1997

Proposals for performing real estate appraisals of up to fifty three (53) designated Riverhead receiving area "A" parcels as specified in the Central Pine Barrens Comprehensive Land Use Plan will be received by the Executive Director the Central Pine Barrens Joint Planning and Policy Commission, P.O. Box 587, 3525 Sunrise Highway, Second Floor, Great River, New York 11739-0587, **not later than 5:00 p.m. on (2 weeks from date issued).**

The appraiser should possess a good working knowledge of the eastern Long Island economy in general and the Riverhead economy in particular; a broad background in land value assessments; an open and unbiased perspective; the ability to provide the results of the appraisals in a format suitable for the Commission's economic consultant; and, if necessary, the ability to appraise additional designated receiving area parcels on an as needed unit basis, as determined by the Commission in consultation with it's economic consultant and the Pine Barrens Credit Clearinghouse.

Initially, the appraiser will be responsible for appraising ten (10) designated receiving areas parcels chosen by the Commission (See Exhibit A). The Commission reserves the right to require four (4) additional appraisals of selected parcels in three (3) units of ten (10) parcels each and one unit of thirteen (13) parcels. (See Exhibit B). In no event will the number of appraisals exceed fifty three (53).

Persons or groups submitting a proposal for the performing the appraisals of the parcels are requested to provide their qualifications and relevant experience with performing similar types of appraisal services. Proposals must contain a budget and a fee "cap." Proposals should be provided in two sealed envelopes, one containing the budget or price for the performing the appraisals and one containing the remainder of the proposal. The budget or price should reflect the cost of performing the initial appraisal of ten (10) parcels and a per unit price for performing additional appraisals in three (3) units of ten (10) parcels each and one unit of thirteen (13) parcels.

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The appraisals must be submitted to the Commission by (30 days from awarding RFP). The appraisals should be "*appraisals limited in scope*" rather than "*narrative appraisals*" provided that information on how the appraisals were derived is provided. An overview to the appraisals should include a discussion as to the limitations affecting the analysis, such as relevant land sales.

The Commission reserves the right to select the proposal which in its opinion is most advantageous to the Commission, or to reject all of the proposals.

EXHIBIT A - TO BE ATTACHED

EXHIBIT B - TO BE ATTACHED

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

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for August 25, 1997 (FINAL) Commission Office Great River, New York 3:00 p.m.

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

The meeting was chaired by Mr. Tripp and called to order at 3:10 p.m.

1. **Administrative**

- **Public Comment Period**

Summary: There were no public comments at this time.

- **Ratification of June 23, 1997 Clearinghouse meeting minutes**

A motion was made by Mr. Pally and seconded by Mr. Hanley to adopt the meeting summary of the June 23, 1997 meeting. The motion was approved unanimously.

- **Capitalization Funds Update and Report from Suffolk County Treasurer's Office**

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the number of appraisals required. At this point the meeting was adjourned so that Mr. Tripp would be able to speak to Dr. Nicholas concerning this issue.

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Central Pine Barrens Joint Planning and Policy Commission

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The Commission reserves the right to select the proposal which in its opinion is most advantageous to the Commission, or to reject all of the proposals.

EXHIBIT A - TO BE ATTACHED

EXHIBIT B - TO BE ATTACHED

Meeting For: Clearinghouse

Location: Commission Office
Great River

Date /Time: 8/25/99 3:00pm

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Letters of Interpretation Applications
August 25, 1997

<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>
Patricia Baranello 5 Atlantic Avenue Blue Point, NY 11715	200-294-4-11	4.50 Acres A Residence 2	See attached report	Complete	4.5 x 0.40= 1.80	Pursuant to §6.3.3.4 of the Plan, allocation reduced by 1.0 PBC due to existing single family dwelling on parcel	0.80
Loiuse E. Quinn 6433 Tina Drive #25 New Port Richey, FL 34653 (813) 842-4053	200-300-3-33	0.18 Acres A Residence 5	See attached report	Complete	0.18 x 0.16= 0.0288	Qualifies for allocation of 1.0 PBC pursuant to §6.7.6.6, due to frontage on existing improved road	1.0
Jagel Family Associates C/o Thomas A. Brooks 8 Peter Court St. James, NY 11780 (516) 366-2872	200-382-1-9	0.72 Acres A Residence 1	RENEWAL APPLICATION See attached report	Complete	0.72 x 0.8= 0.576		0.58
Amelia A. Copeland 35 Barker Ave, Apt 4K White Plains, NY (914) 946-8327	200-511-6-9	2.16 Acres A Residence 5	RENEWAL APPLICATION See attached report	Complete	2.16 x 0.16= 0.3456		0.35
Michael McGovern POB 710239 Flushing, NY 11371- 0239 (718) 347-1543	200-529-5-31	0.09 Acres A Residence 5	See attached report	Complete	0.09 x 0.16= 0.0144	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10

Herbert W. Hoell 6061 W. Douneray Loop Crystal River, FL 34429	600-143-1-10	0.286 Acres Natural Resources Protection (1 unit per four acres)	See attached report	Complete	0.286 x 0.20=0.0572	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Wodnal Montauk Recreational Corp. C/o Joseph Landow 50 Lenox Road , Apt. 3B Rockville Centre, NY 11570 (516) 766-8294	900-161-2-39	0.17 Acres Country Residence 200	RENEWAL APPLICATION See attached report	Complete	0.17 x 0.16= 0.0272	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Marjorie Kaplan 27 Crows Nest Lane Unit 3I Danbury, CT 06810- 2004 (203) 748-5564	900-193-5-5	0.57 Acres Country Residence 200	RENEWAL APPLICATION See attached report	Complete	0.57 x 0.16= 0.0912	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Mavis Branch-Bayne c/o Homer Richardson, Esq. 1071 Nostrand Avenue Brooklyn, NY 11225	900-215.1-1- 38	1.19 Acres Country Residence 200	RENEWAL APPLICATION See attached report	Complete	1.19 x 0.16= 0.1904 OR 1.19 x 0.18= 0.2142		0.19 OR 0.21
Toni Santore 4 Lark Avenue White Plains, NY 10607 (914) 592-5992	900-217-3-1	1.2 Acres Light Industrial 200	See attached report	Complete	1.2 x 1.0= 1.2		1.2

Toni Santore 4 Lark Avenue White Plains, NY 10607 (914) 592-5992	900-217-3-11	1.47 Acres Light Industrial 200	See attached report	Complete	$1.47 \times 1.0 = 1.47$	1.47
Toni Santore 4 Lark Avenue White Plains, NY 10607 (914) 592-5992	900-217-3-13	0.92 Acres Light Industrial 200	See attached report	Complete	$0.92 \times 1.0 = 0.92$	0.92
Neil and Rose Paladino 1 Jennifer Lane Hartsdale, NY 10530 (914) 693-6183	900-248-1-7	0.92 Acres Light Industrial 200	See attached report	Complete	$0.92 \times 1.0 = 0.92$	0.92
Wodnal Montauk Recreational Corp. C/o Joseph Landow 50 Lenox Road, Apt 3B Rockville Centre, NY 11570 (516) 766-8294	900-248-1-69	0.29 Acres Light Industrial 200	See attached report	Complete	$0.29 \times 1.0 = 0.29$	0.29
Joseph Gazza P.O. Box 969 Quogue, NY 11959 (516) 653-5766	900-286-2-10	0.09 Acres Light Industrial 40	See attached report	Complete	$0.09 \times 1.0 = 0.09$	0.10 Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7
William Stratton Pickering c/o Jean Anderson Holmes, Esq. P.O. Box 38246 Germantown, TN 38183-0246	900-306-2-69	0.09 Acres Country Residence 200	See attached report	Complete	$0.09 \times 0.16 = 0.0144$	0.10 Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7

PINE BARRENS CREDIT CLEARINGHOUSE

JAMES T.B. TRIPP, ESQ., *CHAIRMAN*
ALLAN D. GRECCO, ESQ., *VICE CHAIRMAN*
ROBERT J. DUFFY, A.I.C.P., *MEMBER*
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Clearinghouse Agenda (DRAFT) for October 6, 1997 8:30 A.M. Commission Office, Great River

1. Administrative

- Public comment period
- County Treasurer's Report
- Ratification of August 25, 1997 minutes (*attached*)

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

- Cavalli applications - easement terms

3. Program Implementation

- Request for Proposals for appraisals of Riverhead Receiving Area "A" (*attached*)
- November 5, 1997 Pine Barrens Credit Program "Fair"
- 100th Acre Protected Commomeration Event

4. Meeting Schedule

Next Clearinghouse Meeting ?????
Commission office, Sunrise Highway, Great River

PINE BARRENS CREDIT CLEARINGHOUSE

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- Cavalli applications - easement terms
- Oaks applications - SCTM #200-294-4-25

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- November 5, 1997 Pine Barrens Credit Program "Fair"
- 100th Acre Protected Commemoration Event

4. Meeting Schedule

Next Clearinghouse Meeting ?????
Commission office, Sunrise Highway, Great River

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MITCHELL H. PALLY, ESQ., MEMBER

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for October 6, 1997 (DRAFT) Commission Office Great River, New York 8:30 A.M.

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

The meeting was chaired by Mr. Tripp and called to order at 8:40 a.m.

1. Administrative

- **Public Comment Period**

Summary: There were no public comments at this time.

- **Ratification of June 23, 1997 Clearinghouse meeting minutes**

A motion was made by Mr. Pally and seconded by Mr. Hanley to adopt the meeting summary of the August 25, 1997 meeting subject to Counsel's review. The motion was approved unanimously.

- **Capitalization Funds Update and Report from Suffolk County Treasurer's Office**
Summary: Christina Cooke distributed and reviewed the attached financial report for the month of August 1997. As the statement indicates the closing balance at the end of August, 1997 was \$4,853,943.14. Ms. Cooke also reported that no monies were disbursed during the month of August.

2. Pine Barrens Credit Clearinghouse Applications

- **Summary of Clearinghouse Applications**

Summary: The Clearinghouse discussed the issuance of Letters of Interpretation (LOIs) as per the attached chart.

- **Baranello Application, SCTM 200-294-4-11**

Summary: A Letter of Interpretation application for the parcel was received by the Clearinghouse. A staff inspection revealed what appeared to be recent clearing. Based on this inspection report, the Clearinghouse at its August 25, 1997 meeting referred the matter to the Commission. The Commission directed the Clearinghouse to issue a Letter of Interpretation for the parcel and directed letters to the Town of Brookhaven and the NYS DEC asking them to investigate the clearing. The Clearinghouse recommended issuing the Letter but with the proviso that the clearing issue had to be resolved to the Commission's satisfaction before the Clearinghouse would issue a Pine Barrens Credit Certificate for the parcel.

A motion was made by Mr. Pally and seconded by Mr. Grecco to approve all Letters of Interpretation applicants and renewals as per the attached chart and with the Baranello application subject to the foregoing condition. The motion was approved unanimously.

- Next Generation Land Company Application, SCTM #900-193-7-7
Summary: Staff review of the above referenced parcel indicated that it had frontage on an existing improved road and qualified for an allocation of 1.0 Pine Barrens Credits. However, the Clearinghouse had issued a Letter of Interpretation for 0.10 Pine Barrens Credits at its March 27, 1997 meeting. Consistent with Clearinghouse policy of correcting erroneous Letters of Interpretation, Mr. Milazzo suggested that the allocation be changed from 0.10 to 1.0. It was suggested that Mr. Grecco and Mr. Milazzo review the matter.

A motion was made by Mr. Tripp and seconded by Mr. Hanley to authorize Mr. Milazzo and Mr. Grecco, to review the Next Generation Land Company application and make a decision as to whether or not the allocation should be revised from 0.10 to 1.0. The motion was approved unanimously.

- Cavalli Applications, SCTM 200-460-2-4.1, 4.2, 4.3, and 4.4
Summary: The applicants applied for and the Clearinghouse issued Letters of Interpretation for the parcels. The applicants applied for Pine Barrens Credits. The parcels are used as a horse farm. Staff anticipates using the pre-approved conservation easement for the parcels. A survey is being done for all four parcels to indicate the cleared areas of the parcels. The Board recommended ensuring that the barns on the property are not be converted into residential dwellings. Furthermore, they suggested that the easement state that the sole use of the property is for agricultural use.
- Oaks Application, SCTM 200-294-4-25
Summary: The deed for the above parcel was into 4 people as tenants in common. However, one of the tenants in common died, without a will, leaving a wife and three minor children. Furthermore, the applicants claim to have entered into a contract for the

sale of the Credits. Under the Commission's title policy, a title search and insurance needed to be acquired because the parcel is entitled to 1.10 Pine Barrens Credits. The title report indicated the death of the tenant in common and stated that suitable administration of his estate needed to be performed before the title company would insure the easement against claims of the heirs of the deceased owner. The costs of doing such a proceeding were estimated around \$2,500.00 and absent such work the easement could be null and void and not binding upon the deceased's heirs. The Clearinghouse explored ways in which the easement could be offered and accepted without requiring the applicants resolve the open estate question. The Clearinghouse decided to recommend to the Commission that the easement be accepted if offered and signed by the 3 remaining tenants in common, and the heirs of the fourth and to place into trust the share of the proceeds of the credit sale for the minor children of the deceased tenant in common.

A motion was made by Mr. Grecco and seconded by Mr. Hanley referring to and recommending that the Commission accept a conservation easement for the parcel from the three living tenants in common and the heirs of the fourth and to place into trust the share of the proceeds of the credit sale for the minor children of the deceased tenant in common. The motion carried unanimously.

3. Program Implementation

- Request for Proposals for appraisals of Riverhead Receiving Area A
Summary: It was stated by staff that the RFP should ready for approval at the October 29, 1997 Commission meeting and would issued shortly thereafter.
- Pine Barrens Credit Fair
Summary: The Long Island Association (LIA) will be hosting a Pine Barrens Credit Fair on November 5, 1997 at 8:30 A.M. in conjunction with the Commercial Industrial Brokers Society (CIBS) and the Long Island Builders Institute and the Long Island Association. It was stated that Tim Hopkins and Ray Corwin would give talks on the Credit Program and the Pine Barrens. Flyers from CIBS promoting the event were distributed for the Board members review. There will be a brief meeting of the Clearinghouse Board prior to the start of the Fair at 8:00 am.
- Marketing: Landowner outreach (not on the agenda)
Summary: Draft mailer prepared by the Sandpiper Group was distributed for the Board members review. The members recommended that the mailer be made to look "more official" and be mailed to Core Preservation Area landowners upon receipt of the revised copy.

A motion was made by Mr. Tripp and seconded by Mr. Grecco to urge the Commission to

approve the Draft mailer to be sent to Core Property owners. The motion was approved unanimously.

- 100th Acre Protected Event

Summary: At the October 8, 1997 Commission meeting there will be a ceremony congratulating the Pine Barrens Logo Contest winners along with a presentation from the Clearinghouse Board commemorating the 100th acre protected through the Pine Barrens Credit Program. Mr. Tom Brooks, representing Jagel Family Associates, the owner of the 100th acre, will be presented with a plaque commemorating the 100th acre protected along with several other people. A small reception will follow. The attached draft summary report was issued with the thought that it could serve as a press release at the 100th acre event.

- 4. Meeting Schedule

Summary: The next two meetings of the Pine Barrens Credit Clearinghouse Board of Advisors will be held on November 5, 1997 at 8:00 am at the Long Island Association and December 1, 1997 at 8:00 am at the Commission Office in Great River.

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

ATTACHMENTS

1. Attendance Sheet
2. Suffolk County Treasurer's report
3. Letters of Interpretation staff report and proposed allocation chart
4. CIBS flyer
5. Sandpiper Group mailer
6. Summary of Clearinghouse Activities Report

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

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The meeting was chaired by Mr. Tripp and called to order at 8:40 a.m.

1. Administrative

- **Public Comment Period**

Summary: There were no public comments at this time.

- **Ratification of June 23, 1997 Clearinghouse meeting minutes**

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- **Summary of Clearinghouse Applications**

Summary: The Clearinghouse discussed the issuance of Letters of Interpretation (LOIs) as per the attached chart.

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Summary: A Letter of Interpretation application for the parcel was received by the Clearinghouse. A staff inspection revealed what appeared to be recent clearing. Based on this inspection report, the Clearinghouse at its August 25, 1997 meeting referred the matter to the Commission. The Commission directed the Clearinghouse to issue a Letter of Interpretation for the parcel and directed letters to the Town of Brookhaven and the NYS DEC asking them to investigate the clearing. The Clearinghouse recommended issuing the Letter but with the proviso that the clearing issue had to be resolved to the Commission's satisfaction before the Clearinghouse would issue a Pine Barrens Credit Certificate for the parcel.

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A motion was made by Mr. Tripp and seconded by Mr. Hanley to authorize Mr. Milazzo and Mr. Grecco, to review the Next Generation Land Company application and make a decision as to whether or not the allocation should be revised from 0.10 to 1.0. The motion was approved unanimously.

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Summary: The applicants applied for and the Clearinghouse issued Letters of Interpretation for the parcels. The applicants applied for Pine Barrens Credits. The parcels are used as a horse farm. Staff anticipates using the pre-approved conservation easement for the parcels. A survey is being done for all four parcels to indicate the cleared areas of the parcels. The Board recommended ensuring that the barns on the property are not be converted into residential dwellings. Furthermore, they suggested that the easement state that the sole use of the property is for agricultural use.
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A motion was made by Mr. Grecco and seconded by Mr. Hanley referring to and recommending that the Commission accept a conservation easement for the parcel from the three living tenants in common and the heirs of the fourth and to place into trust the share of the proceeds of the credit sale for the minor children of the deceased tenant in common. The motion carried unanimously.

3. Program Implementation

- **Request for Proposals for appraisals of Riverhead Receiving Area A**
Summary: It was stated by staff that the RFP should ready for approval at the October 29, 1997 Commission meeting and would issued shortly thereafter.
- **Pine Barrens Credit Fair**
Summary: The Long Island Association (LIA) will be hosting a Pine Barrens Credit Fair on November 5, 1997 at 8:30 A.M. in conjunction with the Commercial Industrial Brokers Society (CIBS) and the Long Island Builders Institute and the Long Island Association. It was stated that Tim Hopkins and Ray Corwin would give talks on the Credit Program and the Pine Barrens. Flyers from CIBS promoting the event were distributed for the Board members review. There will be a brief meeting of the Clearinghouse Board prior to the start of the Fair at 8:00 am.
- **Marketing: Landowner outreach (not on the agenda)**
Summary: Draft mailer prepared by the Sandpiper Group was distributed for the Board members review. The members recommended that the mailer be made to look "more official" and be mailed to Core Preservation Area landowners upon receipt of the revised copy.

A motion was made by Mr. Tripp and seconded by Mr. Grecco to urge the Commission to

approve the Draft mailer to be sent to Core Property owners. The motion was approved unanimously.

- **100th Acre Protected Event**

Summary: At the October 8, 1997 Commission meeting there will be a ceremony congratulating the Pine Barrens Logo Contest winners along with a presentation from the Clearinghouse Board commemorating the 100th acre protected through the Pine Barrens Credit Program. Mr. Tom Brooks, representing Jagel Family Associates, the owner of the 100th acre, will be presented with a plaque commemorating the 100th acre protected along with several other people. A small reception will follow. The attached draft summary report was issued with the thought that it could serve as a press release at the 100th acre event.

- 4. **Meeting Schedule**

Summary: The next two meetings of the Pine Barrens Credit Clearinghouse Board of Advisors will be held on November 5, 1997 at 8:00 am at the Long Island Association and December 1, 1997 at 8:00 am at the Commission Office in Great River.

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

ATTACHMENTS

1. Attendance Sheet
2. Suffolk County Treasurer's report
3. Letters of Interpretation staff report and proposed allocation chart
4. CIBS flyer
5. Sandpiper Group mailer
6. Summary of Clearinghouse Activities Report

[illegible]

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*

Clearinghouse Agenda (DRAFT)

November 5, 1997

Long Island Association's Headquarters
80 Hauppauge Road, Commack

1. **Administrative**
 - Public Comment Period
 - County Treasurer's Report
2. **Pine Barrens Credit Applications**
 - A. Letter of Interpretation Applications
 - Summary of applications
 - Issuance of Letters based on staff reports
 - B. Issuance of Pine Barrens Credit Certificates
3. **Program Implementation**
 - A. Status of Sandpiper Group's work

Next Clearinghouse Meeting: December 1, 1997, 8:00 A.M.
Commission Office, Sunrise Highway Great River

Commencing at 8:30 A.M. will be the Clearinghouse's presentation on the Program to members of the Long Island Association, the Commercial Industrial Brokers Society and the Long Island Builders Institute.

P.O. BOX 587, 3525 SUNRISE HIGHWAY, 2ND FLOOR, GREAT RIVER, NEW YORK 11739-0587
516-224-204 / FAX 516-224-7653

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

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Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for November 5, 1997 (DRAFT) Long Island Association Headquarters, Commack, New York 8:00 A.M.

***Present:** Board members present were Mr. Duffy (representing the Town of Southampton), Mr. Grecco (representing the County of Suffolk), Mr. Hanley (representing the Town of Riverhead), Mr. Pally (representing the State of New York) and Mr. Tripp (representing the Town of Brookhaven). Also in attendance were Ms. Roth, General Counsel to the Central Pine Barrens Joint Planning and Policy Commission, Raymond P. Corwin, Executive Director of the Commission, Bill Spitz, New York State Department of Environmental Conservation. Staff members included John Milazzo and Donna Plunkett. Additional attendees are shown on the attached sign-in sheet.*

The meeting was chaired by Mr. Tripp and called to order at approximately 8:05 A.M.

1. Administrative

- Public Comment Period

There were no public comments at this time.

- Capitalization Funds Update and Report from Suffolk County Treasurer's Office
The attached report was distributed.

2. Pine Barrens Credit Applications

A. Letters of Interpretation

Staff distributed the attached staff report and proposed allocation chart to the Board members.

***1. Cavalli applications** - SCTM 200-460-2-4.1, 4.2, 4.3, 4.4. Summary: These four parcels were issued Letters of Interpretations on April 7, 1997 totaling 21.83 based upon the incorrect assumption that the parcels were in the Horse Farm Zoning District. However, subsequent to the issuance of the Letters, staff confirmed that the parcels were in fact in the A Residence 5 zoning district. Consistent with Clearinghouse policy, it was recommended that Clearinghouse revoke the prior Letters and issue new Letters of Interpretations based on the correct zoning.*

A motion was made by Mr. Duffy and seconded by Mr. Hanley to revoke the Letters of Interpretation issued to Anthony and Lucille Cavalli on April 7, 1997 and issue new Letters as per the attached chart. The motion was carried unanimously.

2. *Gazza applications* - SCTM 900-280-2-51, 282-2-61 and 334-1-21. Summary: Joseph Gazza and Molly Gazza applied for Letters of Interpretation for these three parcels. They had previously been issued Letters of Interpretation which had expired. Staff indicated that parcel 900-280-2-51 had been merged with two adjacent parcels owned by Mr. Gazza by Suffolk County Real Property Tax Service Agency into one tax map parcel. Subsequent to the merger, Mr. Gazza placed a conservation easement on the other two parcels. At which point, the merged parcel was divided into two, one burdened by the easement and the subject parcel. Although, the Suffolk County Tax Maps did not indicate this division, Mr. Gazza asserts it was done, and possesses a tax bill for the subject parcel.

A motion was made by Mr. Pally and seconded by Mr. Duffy to issue Letters of Interpretation to the three parcels, with the Letter of Interpretation for SCTM #900-280-2-51 subject to staff receipt of the tax bill confirming its status. The motion carried unanimously.

B. Pine Barrens Credit Certificates

- The Chairman signed a Pine Barrens Credit Certificate for 1.00 Pine Barrens Credits issued to Alfred Jackson.

3. Program Implementation

A. Status of Sandpiper Group's work.

Staff discussed the status of the development of a brochure on the Pine Barrens Credit Program being prepared by the Sandpiper Group. The work has suffered repeated delays and a final copy of the mailing has not yet been provided to the Clearinghouse. Staff distributed a simple letter (attached) that could be mailed to Core Preservation Area property owners inviting them to learn more about the Pine Barrens Credit Program and to apply for a Letter of Interpretation. The Chairman emphasized that it is appropriate to do repeated mailings to Core landowners in order to keep them engaged in the program.

A motion was made by Mr. Duffy and seconded by Mr. Pally to send the attached Letter to the Core Preservation Area landowners. The motion carried unanimously.

The board members discussed the timing of the next reverse auction. Potential PBC purchasers should be contacted by staff to gauge interest for a reverse auction. In addition, when firm expressions of interest for participation in a reverse auction are obtained a letter could be sent to the Core Preservation Area landowners, informing them of the particulars of the reverse auction and inviting them to participate by applying for a Letter of Interpretation. Buzz Schwenk contributed that the Pine Barrens Credit market needs to be stirred because there exists high

demand for PBCs but low supply. A copy of the attached summary report was distributed.

4. Other: Amendment to Request for Proposals - Riverhead Receiving Area A

The Commission's RFP was issued to 123 appraisal entities in Suffolk County. Snover & Company, Inc. inquired as to whether the deadline for supplying the appraisals could be extended from 30 days after award to 60 days after the awarding of the RFP (letter attached). Mr. Pally questioned whether there was an urgency related to completing the appraisals. The consensus was that there was not.

A motion was made by Mr. Pally and seconded to Mr. Duffy amend the RFP to require the appraisals of Unit 1 of the Riverhead Receiving Area A parcels to be returned within 60 days of awarding of the RFP. The motion carried unanimously.

The meeting was adjourned without a resolution to adjourn at approximately 8:35 A.M.

ATTACHMENTS

1. Attendance Sheet
2. Suffolk County Treasurer's report
3. Letters of Interpretation staff report and proposed allocation chart
4. DRAFT Letter of Interpretation Solicitation Letter
5. Letter from Snover and Company, Inc. dated 10/31/97
6. Summary of Clearinghouse Activities Report

PINE BARRENS CREDIT CLEARINGHOUSE

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JOHN F. HANLEY, MEMBER

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Clearinghouse Agenda (DRAFT) for December 1, 1997 8:00 A.M. Commission Office, Great River NY

1. Administrative

- Public comment period
- County Treasurer's Report
- Ratification of October 6, 1997 and November 5, 1997 minutes (*attached*)

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. Program Implementation

- A. Core Preservation Area Landowner mailing - status**
- B. Strategy for selling PBCs owned by Clearinghouse**
- C. Increasing participation of small PBC holders**

4. Meeting Schedule

Next Clearinghouse Meeting ?????
Commission office, Sunrise Highway, Great River

P.O. BOX 587, 3525 SUNRISE HIGHWAY, 2ND FLOOR, GREAT RIVER, NEW YORK 11739-0587
516-224-2604 / FAX 516-224-7653

PINE BARRENS CREDIT CLEARINGHOUSE

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ROBERT J. DUFFY, A.I.C.P., *MEMBER*
JOHN F. HANLEY, *MEMBER*
MITCHELL H. PALLY, ESQ., *MEMBER*

*No quorum -
only J. Hanley,
J. Tripp,
& M. Pally were present*

Clearinghouse Agenda (FINAL) for December 1, 1997 8:00 A.M. Commission Office, Great River NY

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- Public comment period
- County Treasurer's Report
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- Issuance of Letters based on staff reports

B. Pine Barrens Credit Certificates

3. Program Implementation

- A. Core Preservation Area Landowner mailing - status**
- B. Results of RFP for Riverhead Receiving Area A**
- C. Strategy for selling PBCs owned by Clearinghouse**
- D. Increasing participation of small PBC holders**

4. Meeting Schedule

Next Clearinghouse Meeting ?????
Commission office, Sunrise Highway, Great River

DRAFT

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MITCHELL H. PALLY, ESQ., MEMBER

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for December 1, 1997 (DRAFT) Commission Office Great River, New York 8:00 A.M.

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

The meeting was chaired by Mr. Tripp and called to order at 8:40 a.m. There was no quorum present and no official.

1. Administrative

- **Public Comment Period**

Summary: There are no public comments at this time.

2. Program Implementation

- **Core Preservation Area Landowner Mailing status**

Summary: A final proof of the proposed mailing to Core Preservation Area owners has been received by the Clearinghouse from the Sandpiper Group. Staff will be meeting with a printer who will be mass producing the requisite number of fliers and handling the mailing of the item. The members discussed when the flier should be mailed, and it was recommended that a post-holiday mailing is the most appropriate.

- **Strategy for selling PBCs owned by the Clearinghouse**

Summary: Mr. Milazzo stated that interested parties have contacted him seeking information on whether the Clearinghouse will be selling the Riverhead Pine Barrens Credits it owns. Items discussed were mechanisms the Clearinghouse could employ in seeking purchasers of these PBCs. It was proposed that the Clearinghouse accept offers to purchase these PBCs from interested parties. Under this proposal, the offeror would state the number of PBCs sought and a per PBC price on the Clearinghouse's form and return it to the Clearinghouse by a specified

date. Included in each response would be a down payment. The Clearinghouse would then decide which offer, or offers, if any, to accept. It was stressed that it is important to initiate this process while strong interest exists in the PBCs. Therefore, a response deadline of January 8, 1998 was suggested. In addition, it was suggested that the mailing, when officially approved, be sent to members of the Long Island Builders Institute, the Association for a Better Long Island, the Commercial and Industrial Brokers Society and the Long Island Real Estate Board. Staff was instructed to create a suitable letter and bidding form to be distributed to interested parties for the Board's review at its next meeting.

- **Increasing participation of small PBC holders**

Summary: Continuing a discussion initiated by Robert Wieboldt at the Clearinghouse's November 5, 1997 presentation at the Long Island Association, Don Eversoll distributed the attached letter from Mr. Wieboldt to the Board members. Mr Wieboldt wrote asking the Clearinghouse to offer to purchase fractional Pine Barrens Credits (i.e. 1 or less PBCs). As contemplated by Mr. Wieboldt, the Clearinghouse could offer to purchase such PBCs and use some portion of the Clearinghouse Capitalization Funds to finance the purchases. It was suggested that the Clearinghouse be willingly to spend \$1 million for such acquisitions. Upon Clearinghouse purchase, these PBCs would then be sold to interested purchasers at some unspecified date.

The Clearinghouse board members discussed the Weiboldt letter. Support was expressed for establishing a pilot program to purchase fractional PBCs. The consensus was to establish a \$15,000.00 per full PBC purchase price and to accept offers on a first come, first serve basis. It was proposed that the Clearinghouse not expend more than \$1 million for such purchases. At this time, the board members suggested limiting the pilot program to the Town of Brookhaven given the strong demand for PBCs in the town of Brookhaven. Based on the results of the pilot program, similar offers could be made in the other towns in the future. Counsel would research whether the offer can be extended to only one Town. The Board would further discuss this proposal at its next meeting and then make its recommendation to the Commission.

There was a discussion on when to hold the next Reverse Auction in the Town of Brookhaven. Notwithstanding the proposed pilot program, support for holding a reverse auction in the new year was expressed.

- **Letter of Interpretation summary of Clearinghouse Applications**

Summary: The chart was distributed on the pending Letters of Interpretation. No action could be taken due to the lack of a quorum. However, in light of the Plan's provisions, the Clearinghouse staff was instructed to issue two Letters of Interpretation to Harvey Lee Ramsey, for tow parcels he owns in Southampton to replace expired Letters.

DRAFT

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2. Meeting Schedule

The next meeting of the Pine Barrens Credit Program Board of Advisors will be held on December 15, 1997, 8:30 am at the Commission Office to further discuss the issues discussed at the December 1, 1997 meeting. The January meeting will be held on January 9, 1998, 12:00 p.m. at the Commission Office

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

Pine Barrens Credit Clearinghouse Board of Advisors Informational Session Summary for December 1, 1997 (FINAL) Commission Office Great River, New York 8:00 A.M.

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[illegible]

12/1/97 Clearinghouse meeting.

LONG ISLAND BUILDERS INSTITUTE
400 Corporate Plaza
Islandia, New York 11726

December 1, 1997

Members,
L.I. Pine Barrens
Credit Clearinghouse

Dear Sirs:

I am writing on behalf of our organization whose 600 members are engaged in all aspects of building and development on Long Island, to request that the Clearinghouse consider an active program of acquiring credits from property owners within the core area who are entitled only to fractional credits.

We understand:

- the clearinghouse has access to \$5 million fund for the acquisition of such credits, which to date is largely unused,
- the clearinghouse can facilitate the transfer of such credits to itself and later the sale of such credits,
- there are a large number of land owners entitled to only fractional credits,
- there are adequate opportunities for builders to employ such credits,
- builders have informed us that they are interested in a simple method of acquiring such credits,
- if such credits can be acquired and assembled by the Clearinghouse our members will be able to acquire these directly from the Clearinghouse and are willing to pay reasonable transaction fees, and that,
- nothing in the statute prevents the Clearinghouse from reselling such credits.

We propose that the Clearinghouse announce its intent to purchase up to \$1 million of partial credits from landowners during a ninety day period in early 1998. The Clearinghouse would inform all potential owners of its willingness to enter into firm purchase contracts and to facilitate the necessary procedures to officially create such credits and acquire them.

We believe that the Clearinghouse offer could be made in several ways. First, to allow a completely free market process, the Clearinghouse could simply indicate its willingness to acquire \$1 million in such credits without establishing any pricing, but indicating it would accept the lowest tenders until its total acquisition had been reached. Sellers could then make their own evaluations of the market and each could ask for a reasonable, satisfactory price. The advertisement would not obligate the commission to buy any credits unless it found the pricing reasonable based on its evaluation of the market.

An alternative would be to advertise a maximum price and indicate it would acquire \$1 million of all credits at or below this price with the Clearinghouse acquiring credits in ascending order of price.

Yet another alternative would be to set an attractive price at which the commission would be up to \$1 million of such partial credits at the stated price, and if \$1 million were not offered at that price the Clearinghouse would accept tenders in ascending order until its funds were expended up a maximum price.

At present, the transaction difficulties of locating and acquiring these fractional credits is excessive and deters their transfer. If the Clearinghouse entered the market as a buyer, at the very least, sellers would be stimulated to offer credits. Any method of establishing the value of these credits based on what a major buyer is willing to pay and individual sellers are willing to accept is essentially market driven and is preferable to other methods of ascertaining market value.

We believe such a program is necessary to achieve sufficient volume of credit transactions to meet the need to move development from the core to properties where it is encouraged. In view of the many demands for public funds for preservation statewide in the next few years it is inconceivable that

an unused \$5 million reservation fund can long survive. Recent newspaper stories have detailed the frustration of many in the preservation community with the extent and pace of public land acquisition in the core area. The Clearinghouse by taking a more active approach can bring the development rights transfer mechanism to bear. The potential for development rights transfer is recognized, but it must be actualized.

Respectfully submitted,

Robert A. Wieboldt
Executive Vice President

Pine Barrens Credit Clearinghouse
Summary of Letter of Interpretation Applications
December 1, 1997

<i>Applicant</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>
Walton-Hampton Bays Associates -1, LLC c/o Herbert Balin Certilman Balin Alder & Hyman, LLP 90 Merrick Avenue East Meadow, NY 11554	900-204-1-13 Hampton Bays	51.34 Acres Country Residence 120	See attached report	Complete	$51.34 \times 0.27 = 13.8618$		13.86
Harvey Lee Ramsey 1750 Jackson Blvd. Pecos, TX 79772	900-333-3-13 Westhampton	0.09 Acres Country Residence 200	See attached report	Renewal- Complete	$0.09 \times 0.16 = 0.0144$	Qualifies for minimum allocation of 0.10 PBCs pursuant to Section 6.7.6.7	0.10
Harvey Lee Ramsey 1750 Jackson Blvd. Pecos, TX 79772	900-334-1-13 Westhampton	0.11 Acres Country Residence 200	See attached report	Renewal- Complete	$0.11 \times 0.16 = 0.0176$	Qualifies for minimum allocation of 0.10 PBCs pursuant to Section 6.7.6.7	0.10

12/1/97 Clearinghouse meeting

12/1/97 Clearinghouse meeting

CERTILMAN BALIN ADLER & HYMAN, LLP

THE FINANCIAL CENTER AT MITCHEL FIELD

90 MERRICK AVENUE

EAST MEADOW, NY 11554

NOV - 5 1997

TELEPHONE
(516) 296-7000

TELECOPIER
(516) 296-7111

HERBERT M. BALIN
PARTNER

DIRECT DIAL NUMBER
(516) 296-7018
E-MAIL: hbalin@cbah.com

November 4, 1997

VIA FEDERAL EXPRESS

Pine Barrens Credit Clearinghouse
c/o Central Pine Barrens Joint Planning
and Policy Commission
3525 Sunrise Highway
2nd Floor
Great River, New York 11739-0587

**Re: Letter of Interpretation Application
Property Owner: Walton-Hampton Bay
Associates-1, LLC**

Gentlemen:

Enclosed please find request for letter of interpretation.

I am enclosing a copy of the Deed dated July 24, 1995 from Samuel Walton to Walton-Hampton Bay Associates-1, LLC.

This parcel is unique to the extent that it has some 3,300 lineal feet of frontage on the Riverhead Hampton Bays Road (New York State Route 24).

It is the intent of the owner to transfer all applicable development rights in this parcel ("Sending Parcel") to a parcel also owned by an affiliate of the owner, to wit: a 16+ acre parcel ("Receiving Parcel") on the north side of Sunrise Highway and the south side of Riverhead Canoe Place Road, a copy of the survey of the Receiving Parcel is enclosed.

The applicant further intends to dedicate the Sending Parcel to the Town of Southampton.

Pine Barrens Credit Clearinghouse
Page 2
November 4, 1997

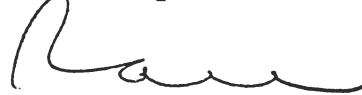
This, however, can only be accomplished by obtaining sufficient Pine Barrens Credits ("PBC") to permit a fair and proper development of the 16+ acre parcel.

We, therefore, request under Section 6.7.7.6 that you allocate the appropriate PBC's to the Sending Parcel plus an additional PBC for each of the 44 lots as shown on the enclosed yield map prepared by Nelson & Pope and dated September, 1997.

This is an opportunity without cost to any municipality to have the Sending Parcel remain forever as open space.

We are available to meet with you and discuss this further or you may contact the undersigned for any other information.

Sincerely,

A handwritten signature in dark ink, appearing to read 'H. Balin', with a stylized flourish at the end.

Herbert M. Balin

HMB:sm
Encs.

cc: Walton Hampton Bays Associates 1, LLC

12/1/97 clearinghouse meeting

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

Issue Date: 10/26/96

Re-issued as per renewal: 11/26/97

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 un-named 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

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

Issue Date: 10/26/96

Re-issued as per renewal: 11/26/97

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
Fire/Police District	Westhampton Beach

PINE BARRENS CREDIT LETTER OF INTERPRETATION
STAFF REPORT
 Issued: 11/26/97

Item	Tax Map Number
	900-204-1-3
Applicant Name	Walton-Hampton Bays Associates-1, LLC.
Location/Access	South side of Riverhead-Hampton Bays Road (NYS Route 24), an improved road, just west of its intersection with Jackson Avenue, Hampton Bays, Town of Southampton.
Hagstrom Map #	Map 26, N-35
Aerial #	Not available at this time.
Acreage	51.34 acres as per survey prepared by Nelson & Pope, LLP.
Topography/Geologic Features	Most of the parcel is relatively flat approximately 20-30' above mean sea level. A portion of a knoll or kame-like feature with a highpoint of 100' exists at the western and southern section of the parcel.
Soils (<i>SC Soil Survey</i>)	CpA (Carver and Plymouth sands 0-3% slopes), CpC (Carver and Plymouth sands 3-15% slopes) and CpE (Carver and Plymouth sands 15-35% slopes)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None as per TOS WGEIS maps or NYSDEC Freshwater wetlands 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	CR120 Residence (120,000 square feet minimum)
School District	Hampton Bays
Public Water	No
Public Sewer	No
Fire/Police District	Hampton Bays

PINE BARRENS CREDIT CLEARINGHOUSE

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Clearinghouse Agenda (FINAL)

December 15, 1997

8:30 A.M.

Commission Office, Great River, New York

1. **Administrative**
 - Public Comment Period
 - County Treasurer's Report
2. **Pine Barrens Credit Applications**
 - A. Letter of Interpretation Applications
 - Summary of applications
 - Issuance of Letters based on staff reports
 - B. Issuance of Pine Barrens Credit Certificates
3. **Program Implementation**
 - A. Offer to purchase fractional Town of Brookhaven Pine Barrens Credits
 - B. Sale of Clearinghouse owned Town of Riverhead Pine Barrens Credits

Next Clearinghouse Meeting: January 9, 1998, 12:00 p.m.

Commission Office, Great River, New York

DRAFT

PINE BARRENS CREDIT CLEARINGHOUSE

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The meeting was chaired by Mr. Tripp and called to order at 8:40 a.m.

1. Administrative

- **Public Comment Period**

Summary: There are no public comments at this time.

- **County Treasurer's Report**

Summary: Christina Cooke distributed the attached treasurer reports for the months of October and November, 1997 to the Board members. She detailed the reports stating that the only earnings was from the interest the accounts accrued. Allan Grecco asked that a report be generated presenting a "year to date" accounting of the interest earned since the program's inception.

2. Pine Barrens Credit Applications

- **Issuance of Letters of Interpretation based on staff reports**

Summary: A discussion took place on the application submitted by Walton-Hampton Bays Associates-1, LLC, through its attorney Herbert Balin. Pursuant to the Plan's allocation formula the 51.34 acre parcel is entitled to 13.86 credits. The applicant submitted a map of the 51.34 acre parcel depicting 44 parcels with 4,000 sq. ft. of area fronting on an existing improved road. There was no indication that this subdivision was approved. The applicant sought the allocation of 1.00 Pine Barrens Credits for each of the 44 parcels pursuant to Section 6.7.6.6. The Clearinghouse members decided to allocate PBCs pursuant to the Plan's formula.

A motion was made by Mitch Pally and seconded by Allan Grecco to approve the proposed

allocation of 13.86 credits on the Walton-Hampton Bays Associates application. The motion was carried unanimously.

- **Sale of Riverhead Pine Barrens Credits owned by the Clearinghouse - draft letter distributed for approval**

Summary: A discussion ensued among Clearinghouse members on the content of the letter being sent to interested parties inviting them to respond with an offer to purchase Riverhead PBCs owned by the Clearinghouse. Jack Hanley questioned the requirement that an one percent deposit submitted with each offer. Staff indicated that the deposit is suggested so that only parties that are serious about purchasing the credits would respond. Jim Tripp suggested that the person(s) awarded the PBCs be required to complete the purchase in 10 days rather than 30 days. The letter will be sent as soon as possible with a response date of January 15, 1998 and payment in full due by January 30, 1998. The letters are being sent to members of LIBI, CIBS, LIBR, ABLI and other parties that have expressed interest.

A motion was made by Allan Grecco and seconded by Jack Hanley to suggest a Plan amendment allowing a three member quorum instead of a four member quorum for meeting. The motion was carried unanimously.

- **Offer to purchase fractional credits in the Town of Brookhaven: letter distributed for revision**

Summary: Support was expressed for establishing a pilot program to purchase fractional PBCs, (i.e. 1 or less) from landowners of Brookhaven sending area property. The consensus was to establish a \$15,000.00 per full PBC purchase price and to accept offers on a first come, first serve basis. It was proposed that the Clearinghouse not expend more than \$1 million for such purchases. At this time, the board members suggested limiting the pilot program to the Town of Brookhaven given the strong demand for PBCs in the town of Brookhaven. Based on the results of the pilot program, similar offers could be made in the other towns in the future. John Milazzo distributed a draft letter for the Board members consideration and revision. After a brief discussion, it was decided to revise the letter to be more easily understood by using examples and spelling out step by step what is required by the applicants. The letter will be sent after Christmas with a response deadline of January 30, 1998.

A motion was made by Mitch Pally and seconded by Jack Hanley to approve the small landowner outreach in the Town of Brookhaven. The motion was carried unanimously.

5. Meeting Schedule

Summary: The next meeting of the Pine Barrens Credit Program Board of Advisors will be held on January 20, 1998, 8:30 am, at the Commission Office in Great River.

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A motion was made by Mitch Pally and seconded by Jack Hanley to authorize staff to issue Letters of Interpretation to applications without unique features as they are received. The motion was carried unanimously.

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

PINE BARRENS CREDIT CLEARINGHOUSE

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A motion was made by Allan Grecco and seconded by Jack Hanley to suggest a Plan amendment allowing a three member quorum instead of a four member quorum for meeting. The motion was carried unanimously.

- **Offer to purchase fractional credits in the Town of Brookhaven: letter distributed for revision**
Summary: Support was expressed for establishing a pilot program to purchase fractional PBCs, (i.e. 1 or less) from landowners of Brookhaven sending area property. The consensus was to establish a \$15,000.00 per full PBC purchase price and to accept offers on a first come, first serve basis. It was proposed that the Clearinghouse not expend more than \$1 million for such purchases. At this time, the board members suggested limiting the pilot program to the Town of Brookhaven given the strong demand for PBCs in the town of Brookhaven. Based on the results of the pilot program, similar offers could be made in the other towns in the future. John Milazzo distributed a draft letter for the Board members consideration and revision. After a brief discussion, it was decided to revise the letter to be more easily understood by using examples and spelling out step by step what is required by the applicants. The letter will be sent after Christmas with a response deadline of January 30, 1998.

A motion was made by Mitch Pally and seconded by Jack Hanley to approve the small landowner outreach in the Town of Brookhaven. The motion was carried unanimously.

5. Meeting Schedule

Summary: The next meeting of the Pine Barrens Credit Program Board of Advisors will be held on January 20, 1998, 8:30 am, at the Commission Office in Great River.

A motion was made by Mitch Pally and seconded by Jack Hanley to authorize staff to issue Letters of Interpretation to applications without unique features as they are received. The motion was carried unanimously.

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

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

Issue Date: 3/24/97

Item	Tax Map Number:
	200-294-4-12
Applicant Name	Anthony Coraci
Location/Access	North side of NY State Route 25, west of William Floyd Parkway Ridge, Town of Brookhaven. Parcel presumably has an easement over a portion of the previously condemned CR111 (<i>SC Pine Trail Nature Preserve</i>) as it does not have frontage on William Floyd Pkwy.
Hagstrom Map #	Map 19, K-23
Aerial #	Not available at this time.
Acreage	4.36 acres as per application.
Topography/Geologic Features	Relatively flat approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	Predominanatly RdA (Riverhead sandy loam 0-3% slopes) and HaA (Haven loam 0-2% slopaes). Small areas of PiA (Plymouth loamy sand 0-3% slopes) and PiB (Plymouth loamy sand 3-8% slopes) exist over the center portion of the site.
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

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

Issue Date: 3/24/97

Field Visit: 3/20/97

Item	Tax Map Numbers: 200-460-2-4.1, 4.2, 4.3 4.4
Applicant Name	Anthony Cavalli
Location/Access	Four described parcels, south of North Street, west of Wading River Road, Manorville, Town of Brookhaven. All parcels have road frontage on North Street.
Hagstrom Map #	Map 20, M-25
Aerial #	Not available at this time.
Acreage	3.41 (house, two barns), 4.12, 4.20 and 7.30 acres respectively. Total is 19.03 acres.
Topography/Geologic Features	Generally flat at approximately 100' above mean sea level.
Soils (<i>SC Soil Survey</i>)	PiA (Plymouth loamy sand 0-3% slopes) and PiB (Plymouth loamy sand 3-8% slopes) with small areas of De (Deerfield sand) and We (Wareham loamy sand)
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	There are wetlands at the southwestern boundary of lot 4.4. These are shown as wetland number M-27 and are associated with wetlands within the Suffolk County owned Robert Cushman Murphy Park to the north and south of the subject property.
Vegetative Cover Type	A substantial portion of the site appears to be cleared for the use of horse corals. It is not possible to ascertain exactly how much of the site is cleared without an aerial photo or a survey indicating same.
Rare and Endangered Species	Yes, associated with the wetlands.
Cultural Resources	Not available at this time
Land Use	One single family residence and barns. It appears the the remaining land is being used for horses
Zoning	HF (Horse Farm). All uses as permitted in the A Residence District which allows one unit per 30,000 square feet.
School District	South Manor
Public Water	No
Public Sewer	No
Fire/Police District	Eastport
Comments	

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

Issue Date: 3/24/97

Item	Tax Map Number:
	200-500-2-16
Applicant Name	Esther Groman
Location/Access	Old filed map (Flower City Park) east of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from a paper road (<i>Rugby Rd.</i>).
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.09 acre as per application.
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 of the subject site.
Vegetative Cover Type	Pitch pine - oak 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	

PINE BARRENS CREDIT LETTER OF INTERPRETATION APPLICATION

STAFF REPORT

Issue Date: 3/24/97

Item	Tax Map Number:
	200-529-2-22
Applicant Name	Mercedes Broderick
Location/Access	Old filed map (Flower City Park) east of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from a paper road (<i>Marlboro Ave.</i>).
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.23 acre as per application.
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 of the subject site.
Vegetative Cover Type	Pitch pine - oak 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	

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

Issue Date: 3/24/97

Item	Tax Map Number:
	200-530-2-8
Applicant Name	Developmental Disabilities Institute Inc.
Location/Access	Old filed map (Flower City Park) east of Yaphank-Middle Island Road (CR21), south of Middle Island Country Club, Yaphank, Town of Brookhaven. Parcel is accessible from a paper road (<i>Marlboro Ave.</i>).
Hagstrom Map #	Map 16, L-21
Aerial #	Not available at this time.
Acreage	.46 acre as per application.
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 of the subject site.
Vegetative Cover Type	Pitch pine - oak 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	

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

Issue Date: 3/24/97

Item	Tax Map Numbers:
	200-562-4-14 &15
Applicant Name	Robert Allen
Location/Access	North of CR 111, west of Toppings Path, Manorville, Town of Brookhaven. Parcel has frontage on an uimproved paper road (<i>Sherman Ave</i>). This paper road intersects with Toppings Path to the south where ic runs north from CR111. Toppings Path is open but not improved.
Hagstrom Map #	Map 19, N-27
Aerial #	Not available at this time.
Acreage	.36 acre each (adjacent).
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	

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

Issue Date: 3/24/97

Item	Tax Map Numbers:
	900-193-5-10, 24
Applicant Name	Next Generation Land Co. Inc.
Location/Access	North of CR 51, Riverhead, Town of Southampton. Parcel is accessible from an unimproved paper road.(<i>Broadway Ave.</i>) There are some trails in the vicinity of this old filed map.
Hagstrom Map #	Map 23, M-30
Aerial #	Not available at this time.
Acreage	.46 and .23 acres respectively.
Topography/Geologic Features	Steeper, morainal slopes approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	CpC (Carver and Plymouth sands, 3-15 % slopes) and CpE (Carver and Plymouth sands, 8-15% slopes).
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC Freshwater wetland maps, there are none.
Vegetative Cover Type	Pitch pine - oak woods.
Rare and Endangered Species	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	Riverhead
Comments	There are some overlap areas in this tax map section, however it does not appear to be in this block. Verify title before issuing credits.

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

Issue Date: 3/24/97

Item	Tax Map Numbers:
	900-193-6-5, 9, 12
Applicant Name	Next Generation Land Co. Inc.
Location/Access	North of CR 51, Riverhead, Town of Southampton. Parcel is accessible from an unimproved paper road. There are some trails in the vicinity of this old filed map.
Hagstrom Map #	Map 23, M-30
Aerial #	Not available at this time.
Acreage	.28, 1.98 and .23 acres respectively.
Topography/Geologic Features	Steeper, morainal slopes approximately 150' above mean sea level.
Soils (<i>SC Soil Survey</i>)	CpC (Carver and Plymouth sands, 3-15 % slopes) and CpE (Carver and Plymouth sands, 8-15% slopes).
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC Freshwater wetland maps, there are none.
Vegetative Cover Type	Pitch pine - oak woods.
Rare and Endangered Species	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	Riverhead
Comments	There are some overlap areas in this tax map section, however it does not appear to be in this block. Verify title before issuing credits.

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

Issue Date: 3/24/97

Field Visit: 3/20/97

Item	Tax Map Numbers:
	900-193-7-7, 8.
Applicant Name	Next Generation Land Co. Inc.
Location/Access	North of CR 51, just west of its intersection with Moriches-Riverhead Road, Northampton, Town of Southampton. Parcel is accessible from an unimproved paper roads.
Hagstrom Map #	Map 23, M-30
Aerial #	Not available at this time.
Acreage	.11 and .46 acres respectively, as per the application.
Topography/Geologic Features	Steeper, morainal slopes approximately 150' above mean sea level with lower elevations in the wetlands.
Soils (<i>SC Soil Survey</i>)	CpC (Carver and Plymouth sands, 3-15 % slopes) and CpE (Carver and Plymouth sands, 8-15% slopes).
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	According to NYS DEC Freshwater wetland maps, wetland R-67 is the north of the subject sites. Field inspection revealed that there may be smaller pockets of wetlands on or very near to the subject parcels.
Vegetative Cover Type	Pitch pine - oak woods with areas of Red Maple hardwood swamp.
Rare and Endangered Species	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	Riverhead
Comments	The frontage of the subject old filed map along the road is posted with Suffolk County ownership markers.

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

Issue Date: 3/24/97

Field Visit: 3/20/97

Item	Tax Map Numbers: 900-213-1-69, 80, 88, 90, 92.
Applicant Name	Next Generation Land Co. Inc.
Location/Access	South of CR 51, just east of Speonk - Riverhead Road, Northampton, Town of Southampton. Parcels have road frontage on CR51.
Hagstrom Map #	Map 23, M-30
Aerial #	Not available at this time.
Acreage	.56, .22, .40 and .28 acres respectively, as per the application. Lot 80 is noted as 21' on the tax bill and application. (unknown area)
Topography/Geologic Features	Steeper, morainal slopes approximately 150' -200' above mean sea level.
Soils (SC Soil Survey)	CpC (Carver and Plymouth sands, 3-15 % slopes) and CpE (Carver and Plymouth sands, 8-15% slopes).
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	None as per NYS DEC Freshwater wetland maps.
Vegetative Cover Type	Pitch pine - oak woods
Rare and Endangered Species	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	Riverhead
Comments	

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 May 12, 1997 4:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of March 26, 1997 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

- Application of Louis and Patricia Gartenberg

3. Program Implementation

- Results of Request for Offers II
- Participation initiatives

4. Meeting Schedule

5. Executive Session (if needed)

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 May 12, 1997 (FINAL) Commission Office Great River, New York 4:00 p.m.

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

The meeting was chaired by Mr. Tripp and called to order at 4:10 p.m. At this point there was a four member quorum.

1. Administrative

- **Public Comment Period**

Summary: There were no public comments at this time.

- **Ratification of March 26, 1997 Clearinghouse meeting minutes**

A motion was made by Mr. Pally and seconded by Mr. Hanley to adopt the meeting summary of the March 26, 1997 meeting as amended. The motion was approved unanimously in a 4-0 vote.

At this point Allan Grecco arrived.

- **Capitalization Funds Update and Report from Suffolk County Treasurer's Office**

Summary: Christina Cooke distributed and reviewed the attached financial report for March 1997. As the statement indicates the closing balance at the end of March, 1997 was \$4,786,155.50. Ms. Cooke also reported that the additional \$50,000.00 pursuant to the capitalization contract with the New York State Department of Environmental

Conservation was received by the County Treasurer. As per the Clearinghouse's earlier directive, the funds were deposited into the money market account and then deposited in the first CD that matured subsequent to the receipt of the funds. A discussion ensued on the amount of funds in the money market account in light of an anticipated disbursement and how to transfer funds to the money market account.

2. PBC Clearinghouse Letter of Interpretation Applications

• **Summary of Clearinghouse Applications**

Summary: Mr. Milazzo distributed the staff reports and table of Letter of Interpretation applications to the members for their consideration. At this point Allan Grecco recused himself from the vote on the Goodstone Application (200-502-1-37) stating that he has had negotiations with the applicant on the behalf of the County.

A motion was made by Mr. Freleng and seconded by Mr. Hanley to approve the Good stone allocation as specified (see chart). The motion was approved in a 4-0-1 vote.

A motion was made by Mr. Grecco and seconded by Mr. Freleng to approve all remaining allocations as specified (see chart). The motion was approved unanimously.

• **Patricia Gartenberg Application**

Summary: Mr. Milazzo summarized the Gartenberg application. He stated that the application involves two parcels. One of the parcels a vacant parcel on River Road in Riverhead which is on the road front non-development list of Figure 9.1 of the Plan. The second parcel is located on a paper street along the river and has an existing structure on the parcel. Distributed were copies of an amended pre-approved conservation easement which would make explicit the fact that restricting the parcels by the conservation easement, the Gartenbergs would be relinquishing their rights pursuant to the road front non-development list and due to existence of a structure. In light of the existing structure, the Pine Barrens Credit allocation for the parcel had been reduced by one Pine Barrens Credit in its Letter of Interpretation. The attorney for the Gartenbergs requested that in light of his clients' inability to develop the structure that the allocation be increased by one credit. The Clearinghouse debated this proposition discussing whether the structure could be made habitable and whether any liability would attach if the easement covered the structure. After a brief discussion it was decided that the description of the property burdened by the easement should exclude the structure. In the event the applicant removes the structure an additional credit would be allocated.

A motion was made by Mr. Pally and seconded by Mr. Grecco to allocate 8.18 credits on the Gartenberg application with the easement should exclude the portion of the parcels with the existing structure and furthermore with the condition that if the existing structure is removed an additional credit would be added making their allocation 9.18 credits. The motion was approved unanimously.

A motion was made by Mr. Pally and seconded by Mr. Freleng to authorize the Chairman and or vice-chairman of the Clearinghouse to sign a contract to purchase the Gartenberg credits. The motion was approved unanimously.

3. Program Implementation

- **Request for Offers II**

Summary: Mr. Milazzo distributed the results of the second solicitation of Request for Offers to the Clearinghouse members. He stated that the purchase price would be \$13,000.00. The contracts are being prepared by Mr. Milazzo .

- **Participation Initiatives**

Summary: Mr. Milazzo stated that the option of holding a third Request for Offers solicitation at the end of the June was being examined. In order to increase participation in any Request for Offers, it was decided that a letter should be sent to all property owners in the Core Preservation Area encouraging them to apply for a Letter of Interpretation. A draft letter was distributed.

A motion was made by Mr. Freleng and seconded by Mr. Hanley to authorize the Clearinghouse staff to mail letters to all property owners in the core encouraging them to apply for Letters of Interpretation, receipt of which would enable them to participate in the third Request for Offers solicitation. The motion was approved unanimously.

Allan Grecco stated that the public does not fully understand that Pine Barrens Credits can be redeemed on non-residential projects. He recommended a more comprehensive marketing effort. Dennis Moran, concurring with Mr. Grecco, commented that he believes that the solicitation letter will help in getting property owners involved with the program. He also stated that demand for credits exists and that there are at least 12 credits needed for pending projects.

A discussion ensued on how to better market the program. Mr. Hanley suggested contacting John Galla, a marketing expert to review Clearinghouse materials including the draft letter distributed at the meeting. Also suggested was a seminar where Core Preservation Area property owners could learn more of the program. The end of June was also selected as a target date for the seminar.

4. Meeting Schedule

- **Next Scheduled meetings**

Summary: The next two meetings of the Pine Barrens Credit Clearinghouse Board of Advisors will be held on June 23, 1997 at 4:00 p.m. and July 28, 1997 at 3:00 p.m. at the Commission Office in Great River.

A motion was made by Mr. Tripp and seconded by Mr. Freleng to hold the next two Pine Barrens Credit Clearinghouse Board of Advisors meetings on June 23, 1997 at 4:00 p.m. and July 28, 1997 at 3:00 p.m. at the Commission Office in Great River. The motion was carried unanimously.

- Milliard Application (not on the agenda)

Summary: Mr. Milazzo and Mr. Grecco went over the specifics on the application for 1.8 Pine Barrens Credits on a ten acre parcel in the Town of Southampton. According to County tax map records the parcel is overlapped by a County holding. However, the applicant's attorney has stated that his clients do have clear title and no overlap exists. The Board decided that pursuant to the Commission title policy, if the applicant can acquire satisfactory title insurance, it would approve the parcel's title allowing completion of the Pine Barrens Credit Certificate application.

A motion was made by Mr. Pally and seconded by Mr. Freleng to approve the allocation of 1.8 credits on the Milliard application with the condition that title insurance must be purchased by the applicant in order to insure clear title. The motion was carried unanimously.

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

There was no formal motion to adjourn.

[illegible]

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, Grantors 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;

WHEREAS, the Property consists of two parcels, known as Parcel I and Parcel II as per Schedule A attached; and

WHEREAS, Parcel I is on the Core Preservation Area residential nondevelopment parcel list, pursuant to §9.1.1 of the Plan, and but for this Conservation Easement could have been improved with one single family home and customary accessory uses thereto under ECL 57-0107(x); and

WHEREAS, but for this Conservation Easement, activities described in ECL 57-0107(iii) as "work for the maintenance, renewal, replacement, reconstruction, improvement, or alteration of any existing structure or additions to an existing residence or residential property owned by an association formed for the common interest in real property" would have been permitted on Parcel II in relation to the existing structure on Parcel II;

NOW, THEREFORE, Grantors, for and in consideration of the facts above and hereinafter recited including, but not limited to, entitlement to receipt of the 9.18 Pine Barrens Credits pursuant to Grantors' Letter of Interpretation issued on the 28th day of August, 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 Grantors' forbearance from taking any of those actions constituting development pursuant to ECL Section 57-0107(13), and the Grantors' forbearance from operations or uses pursuant to ECL Section 57-0107(13)(i-xiv) 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.

5/12/97 PB Clearinghouse
mtg

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

DRAFT

-----, 1997

Dear -----:

As the members of the Pine Barrens Credit Clearinghouse, we are writing to provide you with an update on the Clearinghouse's activities. As documented in our previous correspondence, the Clearinghouse was created by the Central Pine Barrens Joint Planning and Policy Commission, which was established by Article 57 of the New York State Environmental Conservation Law. The Commission adopted the *Central Pine Barrens Comprehensive Land Use Plan* in June of 1995 to guide land use decisions in the Central Pine Barrens.

One component of the *Plan* is a **voluntary** transferrable development rights program, known as the Pine Barrens Credit Program. A Pine Barrens Credit represents the development potential of a parcel as per the allocation formula of the Plan. Under the Program, Pine Barrens Credits can be severed from a sending area parcel and *transferred* and redeemed to permit an increase in density or intensity of development on an identified receiving area parcel. Simply stated, redeeming Pine Barrens Credits permits the construction of more units on a receiving area than current zoning would allow. To take advantage of this increase in permitted development, developers are purchasing and are seeking to purchase Pine Barrens Credits. In the past few months, Pine Barrens Credits have sold in a price range from \$7,500.00 to \$15,000.00 per Credit.

Under this **voluntary** Program, Pine Barrens Credits Certificates are issued in a two-step process. The first step involves applying to the Clearinghouse for a Letter of Interpretation. The Letter of Interpretation indicates the number of Pine Barrens Credits allocated to property in Plan identified sending areas and can be appealed to the Commission. According to our records, you own property that is eligible to receive a Letter of Interpretation. Please note that issuance of a Letter of Interpretation does not commit you to any particular course of action with respect to your property.

The second step is to apply for a Pine Barrens Credit Certificate. In order to obtain a Pine Barrens Credit Certificate, a conservation easement must be recorded on the parcel. The easement represents a legally enforceable promise to only use the property in specified ways. Additional information on the Pine Barrens Credit Program is available in the *Pine Barrens Credit Program Handbook*, available upon request from the Clearinghouse.

One of the central functions of the Clearinghouse is to facilitate private transactions of Pine Barrens Credits. One approach is to create a forum where purchasers can identify a price

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516-563-0385 / FAX 516-277-4097

DRAFT

range in which they would purchase Pine Barrens Credits. Holders of Letters of Interpretation or Pine Barrens Credit Certificates are invited, through a special solicitation, to indicate a price at which they would sell the Pine Barrens Credits allocated to them. If the price indicated is within the identified price range, those credits would be eligible for purchase. The Clearinghouse has successfully held two of these solicitations and anticipates holding more in the future. However, only Letter of Interpretation and Pine Barrens Credit Certificate holders receive the special solicitation.

A second mechanism employed by the Clearinghouse is the publication of the *Pine Barrens Credit Registry*. The *Registry* contains information on all Letter of Interpretation and Pine Barrens Credit Certificate holders. Each month the *Registry* is updated and provided to any interested party. Many private Pine Barrens Credit transactions have been initiated by parties utilizing the *Registry's* information.

While applying for the Letter is a non-binding action and does not ordinarily involve any out of pocket expense, it does allow you to participate more actively in negotiations for the sale of Pine Barrens Credits including the mechanisms described above. For this reason we strongly encourage you to apply for your Letter of Interpretation. For your convenience a Letter of Interpretation application is enclosed.

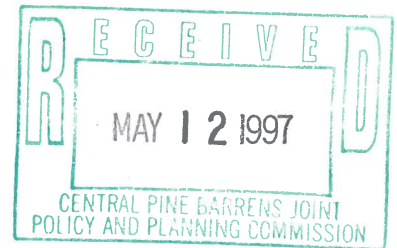
If you have any questions, please feel free to contact the Clearinghouse staff at (516) 563-0385.

Very truly yours,

DRAFT

Members

**Pine Barrens Financial Report
For the Month Ending
03/31/97**



Part I

Summary of Principal Balances

Money Market Balance 03/31/97	\$6,129.55	
Certificates of Deposit Balance as of 03/31/97	4,780,025.95	See Part III for details
Total Investment as of: 03/31/97	----- \$4,786,155.50 =====	

Part II

Summary of Pine Barrens Investment

Balance as of 11/21/95 (Inception Date)	\$4,950,000.00
Earnings thru 03/31/97	316,055.50
Disbs. thru 03/31/97	479,900.00
Balance as of: 03/31/97	----- \$4,786,155.50 =====

Part III

Details of CD Investments

Bank	Orig. Date	Maturity Date	# of days	Principal Amt	Int. Rate	Anticipated Int.
North Fork	12/09/96	04/14/97	126	539,000.00	5.36%	10,111.64
North Fork	01/14/97	05/13/97	120	1,527,929.99	5.38%	27,400.88
North Fork	02/04/97	06/10/97	126	1,155,968.01	5.40%	21,847.80
North Fork	03/11/97	07/11/97	122	1,557,127.95	5.41%	28,548.21
Total CDs				\$4,780,025.95		

**Pine Barrens Financial Report
For the Month Ending
03/31/97**

Part IV

Summary of Activity

<u>Money Market</u>		<u>For the Month of March</u>
Beginning Balance @	3/01/97	\$6,116.55
<u>Receipts:</u>		
CD interest transferred into account	\$0.00	
Interest earned on account @2.50%	\$13.00	
Other	0.00	
		13.00
<u>Disbursements:</u>		
CD Investment	\$0.00	
Other	0.00	
		0.00
Ending Balance @	03/31/97	\$6,129.55

<u>Certificates of Deposit</u>		<u>For the Month of March</u>
Beginning Balance @	3/01/97	\$4,751,023.00
<u>Receipts:</u>		
Additional investment	\$0.00	
Interest earnings on account	\$29,002.95	
Other	0.00	
		29,002.95
<u>Disbursements:</u>		
CD Liquidation to Money Market	\$0.00	
Other	0.00	
		0.00
Ending Balance @	03/31/97	\$4,780,025.95

Part V

Summary

Beginning Balance @	3/01/97	\$4,757,139.55
Add:		
Interest Earnings		29,015.95
Other additions		0.00
Deduct:		
Disbursements		0.00
Other deductions		0.00
Ending Balance @	03/31/97	<u>\$4,786,155.50</u>

Letter of Interpretations Applications
May 12, 1997

Applicant(s)	SCTM #: Location	Size in Acres; Zoning	Property Status	Application Status	Gross Allocation	Allocation News	Proposed Allocation
Barbara Goodstone and Betty Cole 19 Heller Place Hauppauge, NY 11788	200-502-1-37	0.23 Acres A Residence 5	See attached report	Complete	$0.23 \times .16 = 0.0368$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Cassandra Bostic 803 West 180th Street, Apt. 64 NY, NY 10033	200-529-5-5	0.09 Acres A Residence 5	See attached report	Complete	$0.09 \times .16 = 0.0144$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Nat'l Spiritual Assembly of the Baha'is of the US 112 Linden Ave Wilmette, IL 60091	900-215.3-1-11	0.60 Acres Country Residence 200	See attached report	Complete	$0.60 \times .16 = 0.096$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Carl Klepper and James L. Fenley 3 Kroft Lane Huntington, NY 11743	900-306-4-11	1.56 Acres Country Residence 200	See attached report	Complete	$1.56 \times .16 = 0.2496$		0.25

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

Issue Date: 5/9/97

Item	Tax Map Number:
	200-502-1-37
Applicant Name	Betty Cole & Barbara Goodstone
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 (SC Soil Survey)	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	

PINE BARRENS CREDIT LETTER OF INTERPRETATION APPLICATION
STAFF REPORT
Issue Date: 5/9/97

Item	Tax Map Number:
	900-215.03-1-11
Applicant Name	National Spiritual Assembly of the Baha'is of the United States
Location/Access	North of Sunrise Highway, east of Summit Blvd., property has access from Inglewood 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	.60 acres as per tax bill
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	

REQUEST FOR OFFERS

5/12/97

Name	Date Received	Number of PBCs	Price per PBC
Robert Allen	4/14/97	0.20	\$15,000.00
Harold Nussbacher	4/14/97	0.10	\$15,000.00
Robert & Cora Bentley	4/15/97	0.10	\$7,500.00
Mercedes Broderick	4/18/97(faxed) 4/21/97(mailed)	0.10	\$15,000.00
Lucille Cavalli	4/18/97(faxed) 4/21/97(mailed)	6.58	\$15,000.00
Esther Schiffer Groman	4/21/97	0.10	\$7,500.00
Ruth Simon	4/21/97	0.10	\$7,500.00
Rose Sanfilippo	4/22/97	0.10	\$15,000.00
Sylvia Jeffrey	4/22/97	0.10	\$25,000.00
Jagel Family Associates	4/23/97	28.97	\$13,000.00
Marilyn McKay	5/1/97	0.10	\$15,000.00

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*

DRAFT

-----, 1997

Dear -----:

As the members of the Pine Barrens Credit Clearinghouse, we are writing to provide you with an update on the Clearinghouse's activities. As documented in our previous correspondence, the Clearinghouse was created by the Central Pine Barrens Joint Planning and Policy Commission, which was established by Article 57 of the New York State Environmental Conservation Law. The Commission adopted the *Central Pine Barrens Comprehensive Land Use Plan* in June of 1995 to guide land use decisions in the Central Pine Barrens.

One component of the *Plan* is a **voluntary** transferrable development rights program, known as the Pine Barrens Credit Program. A Pine Barrens Credit represents the development potential of a parcel as per the allocation formula of the Plan. Under the Program, Pine Barrens Credits can be severed from a sending area parcel and *transferred* and redeemed to permit an increase in density or intensity of development on an identified receiving area parcel. Simply stated, redeeming Pine Barrens Credits permits the construction of more units on a receiving area than current zoning would allow. To take advantage of this increase in permitted development, developers are purchasing and are seeking to purchase Pine Barrens Credits. In the past few months, Pine Barrens Credits have sold in a price range from \$7,500.00 to \$15,000.00 per Credit.

Under this **voluntary** Program, Pine Barrens Credits Certificates are issued in a two-step process. The first step involves applying to the Clearinghouse for a Letter of Interpretation. The Letter of Interpretation indicates the number of Pine Barrens Credits allocated to property in Plan identified sending areas and can be appealed to the Commission. According to our records, you own property that is eligible to receive a Letter of Interpretation. Please note that issuance of a Letter of Interpretation does not commit you to any particular course of action with respect to your property.

The second step is to apply for a Pine Barrens Credit Certificate. In order to obtain a Pine Barrens Credit Certificate, a conservation easement must be recorded on the parcel. The easement represents a legally enforceable promise to only use the property in specified ways. Additional information on the Pine Barrens Credit Program is available in the *Pine Barrens Credit Program Handbook*, available upon request from the Clearinghouse.

One of the central functions of the Clearinghouse is to facilitate private transactions of Pine Barrens Credits. One approach is to create a forum where purchasers can identify a price

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

DRAFT

range in which they would purchase Pine Barrens Credits. Holders of Letters of Interpretation or Pine Barrens Credit Certificates are invited, through a special solicitation, to indicate a price at which they would sell the Pine Barrens Credits allocated to them. If the price indicated is within the identified price range, those credits would be eligible for purchase. The Clearinghouse has successfully held two of these solicitations and anticipates holding more in the future. However, only Letter of Interpretation and Pine Barrens Credit Certificate holders receive the special solicitation.

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While applying for the Letter is a non-binding action and does not ordinarily involve any out of pocket expense, it does allow you to participate more actively in negotiations for the sale of Pine Barrens Credits including the mechanisms described above. For this reason we strongly encourage you to apply for your Letter of Interpretation. For your convenience a Letter of Interpretation application is enclosed.

If you have any questions, please feel free to contact the Clearinghouse staff at (516) 563-0385.

Very truly yours,

DRAFT

Members

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 June 23, 1997 4:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of May 12, 1997 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

3. Program Implementation

- Marketing proposal

4. Meeting Schedule

5. Executive Session (if needed)

Next Clearinghouse meeting: 7/28/97, 3:00 p.m.
Commission office, Sunrise Highway, Great River

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 June 23, 1997 4:00 P.M. Commission Office, Great River

1. Administrative

- Public comment period
- Ratification of May 12, 1997 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
- Policy on Renewal of Letters of Interpretation

B. Pine Barrens Credit Certificates

3. Program Implementation

- Marketing proposal

4. Meeting Schedule

5. Executive Session (if needed)

Next Clearinghouse meeting: 7/28/97, 3:00 p.m.
Commission office, Sunrise Highway, Great River

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

Pine Barrens Credit Clearinghouse Board of Advisors Meeting Summary for June 23, 1997 (FINAL) Commission Office Great River, New York 4:00 p.m.

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

The meeting was chaired by Mr. Tripp and called to order at 4:10 p.m.

1. Administrative

- **Public Comment Period**

Summary: There were no public comments at this time.

- **Ratification of May 12, 1997 Clearinghouse meeting minutes**

A motion was made by Mr. Freleng and seconded by Mr. Grecco to adopt the meeting summary of the May 12, 1997 meeting as amended. The motion was approved unanimously.

- **Capitalization Funds Update and Report from Suffolk County Treasurer's Office**

Summary: Christina Cooke distributed and reviewed the attached financial report for the months of April and May 1997. As the statement indicates the closing balance at the end of May, 1997 was \$4,873,479.06. Ms. Cooke also reported that \$81,800.00 has been liquidated for the anticipated purchase of the Gartenberg's 8.18 and placed in a money market account. At this point John Milazzo stated that the Gartenberg's have not closed the deal with the Clearinghouse for sale of their credits. Mr. Hanley inquired as to whether or not the CD's when they mature are put out to bid. Ms. Cooke stated that they are not but could be if the Board members would prefer it. Mr. Hanley stated that he would.

- **Draft Document of PBC Clearinghouse Transactions to date** (this item is not listed on the agenda)

Summary: Anthony Trezza handed out a draft document summarizing the Clearinghouse's activities for two reporting years (July 14, 1995-July 14, 1997). The charts were explained as follows: The first chart represents the number of Letters of Interpretation (LOI) issued and the total acreage associated with those LOIs. The second chart shows the numbers of LOIs converted to Pine Barrens Credit Certificates (based on recorded Conservation Easements) and

the total number of Pine Barrens Credits associated with those certificates. The third chart shows the actual number of Pine Barrens Credit Certificates issued as well as the total number of credits "redeemed" from those certificates. It was explained that the charts are only draft documents and that a final version would be issued at a later date.

2. PBC Clearinghouse Letter of Interpretation Applications

• **Policy on Letter of Interpretation renewals in the Town of Southampton**

Summary: Mr. Milazzo stated many of the Letters of Interpretation that have been granted have expired and that the applicants have been sent a very simple renewal form for applying for a new Letter of Interpretation. Also noted was that since some of the original Letters of Interpretation sent the Town of Southampton has revised their allocation formula to conform with the Plan. Mr. Milazzo suggested to the Board members that the revised allocation formula be used on the Letter of Interpretation renewals because the difference in the credit allocation in most cases is minimal. The Board members agreed with Mr. Milazzo's suggestion. However he noted one exception: if the applicant with the expired Letter of Interpretation had applied for a Pine Barrens Credit Certificate while the Letter of Interpretation was valid, it was suggested the PBC allocation remain the same.

A motion was made by Mr. Freleng and seconded by Mr. Hanley to allocate credits under the new allocation formula that has been adopted by the Town of Southampton on all renewal Letters of interpretation with the one exception. The motion was approved unanimously.

• **Summary of Clearinghouse Applications**

Summary: Mr. Milazzo distributed the staff reports and table of Letter of Interpretation applications to the members for their consideration.

A motion was made by Mr. Pally and seconded by Mr. Hanley to approve all Letter of Interpretation renewals including the applications from the Town of Southampton with the new application formula. The motion was approved unanimously.

• **Baranello Application**

Summary: Mr. Milazzo explained that this parcel has an existing structure on the parcel and that site inspection has not been performed. It was suggested that an allocation be made as per the Plan's provisions subject to a site inspection. In the event the site inspection does not reveal any significant features a LOI be issued.

A motion was made by Mr. Pally and seconded by Mr. Freleng to approve all new Letter of Interpretation applications as discussed (see chart). The motion was approved unanimously.

• **Pine Barrens Credit Certificates**

Summary: Mr. Tripp as Chairman of the Clearinghouse signed the Credit Certificate for 8.18 PBCs for the Gartenberg application.

• **Nicholas Report**

Summary: Mr. Milazzo stated that the Commission authorized Dr. Nicholas to proceed with the

analysis of the receiving areas in the Riverhead area. He also stated that the land sales information has been forwarded and that if the information sent was not enough, appraisals could be used.

- Gazza Letter (this item is not listed on the agenda)
Summary: Mr. Milazzo distributed a letter from Joseph Gazza as an informational item. There was no discussion on this item.
- 3. **Program Implementation**
 - Marketing Proposal
Summary: Mr. Milazzo distributed a rough draft of the mailer that was designed by the Sandpiper Group to the Board members for their comments. He also stated that this proposal will be discussed at the next Commission meeting and hopefully it would be approved.
 - Informational Session for the Building Community (this item is not listed on the agenda)
Summary: Mr. Pally stated that there was no response to date from the LIBI. Mr. Milazzo discussed that Bob Wieboldt had expressed an interest earlier in hosting a Pine Barrens "event" and that a letter had been sent but no response had been received to date. The Board members feel that an additional informational session would be beneficial. Mr. Pally stated that he would personally contact Bob Wieboldt and Marie Zere to get their opinion on this matter.
 - Public Comment Period
Summary: Mr. Ed Quaremba wanted to go on record stating the efforts on getting the PBC Program out to the public should be praised. Mr. Quaremba also stated that he feels that the program is progressing well.
- 4. **Meeting Schedule**
 - Next Scheduled meetings
Summary: The next two meetings of the Pine Barrens Credit Clearinghouse Board of Advisors will be held on July 28, 1997 at 3:00 p.m. and August 25 at 3:00 p.m. at the Commission Office in Great River.

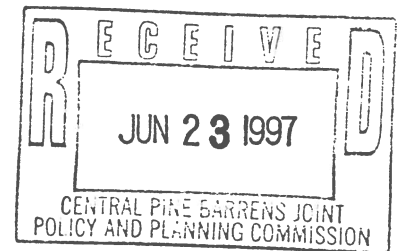
A motion was made by Mr. Pally and seconded by Mr. Freleng to enter executive session. The motion was carried unanimously.

There was no formal motion to adjourn.

[illegible]

6/23/97 attachment

**Pine Barrens Financial Report
For the Month Ending
04/30/97**



Part I

Summary of Principal Balances

Money Market Balance 04/30/97	\$6,155.87	
Certificates of Deposit Balance as of 04/30/97	4,840,137.58	
Total Investment as of: 04/30/97	<u>\$4,846,293.45</u>	See Part III for details

Part II

Summary of Pine Barrens Investment

Balance as of 11/21/95 (Inception Date)	\$4,950,000.00
Earnings thru 04/30/97	326,193.45
Addition thru 04/30/97	50,000.00
Disbs. thru 04/30/97	479,900.00
Balance as of: 04/30/97	<u>\$4,846,293.45</u>

Part III

Details of CD Investments

Bank	Orig. Date	Maturity Date	# of days	Principal Amt	Int. Rate	Anticipated Int.
North Fork	01/14/97	05/13/97	120	1,527,929.99	5.38%	27,400.88
North Fork	02/04/97	06/10/97	126	1,155,968.01	5.40%	21,847.80
North Fork	03/11/97	07/11/97	122	1,557,127.95	5.41%	28,548.21
North Fork	04/14/97	08/18/97	126	599,111.63	5.55%	11,637.74
Total CDs				\$4,840,137.58		

**Pine Barrens Financial Report
For the Month Ending
04/30/97**

Part IV

Summary of Activity

<u>Money Market</u>		For the Month of APRIL
Beginning Balance @	4/01/97	\$6,129.55
<u>Receipts:</u>		
CD interest transferred into account	\$0.00	
Interest earned on account @2.50%	\$26.32	
Other	0.00	
		26.32
<u>Disbursements:</u>		
CD Investment	\$0.00	
Other	0.00	
		0.00
Ending Balance @	04/30/97	\$6,155.87

<u>Certificates of Deposit</u>		For the Month of APRIL
Beginning Balance @	4/01/97	\$4,780,025.95
<u>Receipts:</u>		
Additional investment	\$50,000.00	
Interest earnings on account	\$10,111.63	
Other	0.00	
		60,111.63
<u>Disbursements:</u>		
CD Liquidation to Money Market	\$0.00	
Other	0.00	
		0.00
Ending Balance @	04/30/97	\$4,840,137.58

Part V

Summary

Beginning Balance @	4/01/97	\$4,786,155.50
Add:		
Interest Earnings		10,137.95
Other additions		50,000.00
Deduct:		
Disbursements		0.00
Other deductions		0.00
Ending Balance @	04/30/97	<u>\$4,846,293.45</u>

**Pine Barrens Financial Report
For the Month Ending
05/31/97**

Part I

Summary of Principal Balances

Money Market Balance 05/31/97	\$6,168.95	
Certificates of Deposit Balance as of 05/31/97	4,867,310.11	See Part III for details
Total Investment as of: 05/31/97	\$4,873,479.06	
	=====	

Part II

Summary of Pine Barrens Investment

Balance as of 11/21/95 (Inception Date)	\$4,950,000.00
Earnings thru 05/31/97	353,379.06
Addition thru 05/31/97	50,000.00
Disbs. thru 05/31/97	479,900.00
Balance as of: 05/31/97	\$4,873,479.06
	=====

Part III

Details of CD Investments

Bank	Orig. Date	Maturity Date	# of days	Principal Amt	Int. Rate	Anticipated Int.
North Fork	02/04/97	06/10/97	126	1,155,968.01	5.40%	21,847.80
North Fork	03/11/97	07/11/97	122	1,557,127.95	5.41%	28,548.21
North Fork	04/14/97	08/18/97	126	599,111.63	5.55%	11,637.74
North Fork	05/13/97	09/16/97	126	1,555,102.52	5.55%	30,207.87
Total CDs				\$4,867,310.11		

**Pine Barrens Financial Report
For the Month Ending
05/31/97**

Part IV

Summary of Activity

<u>Money Market</u>		For the Month of MAY
Beginning Balance @	5/01/97	\$6,155.87
<u>Receipts:</u>		
CD interest transferred into account	\$0.00	
Interest earned on account @2.50%	\$13.08	
Other	0.00	
		13.08
<u>Disbursements:</u>		
CD Investment	\$0.00	
Other	0.00	
		0.00
Ending Balance @	05/31/97	\$6,168.95

<u>Certificates of Deposit</u>		For the Month of MAY
Beginning Balance @	5/01/97	\$4,840,137.58
<u>Receipts:</u>		
Additional investment	\$0.00	
Interest earnings on account	\$27,172.53	
Other	0.00	
		27,172.53
<u>Disbursements:</u>		
CD Liquidation to Money Market	\$0.00	
Other	0.00	
		0.00
Ending Balance @	05/31/97	\$4,867,310.11

Part V

Summary

Beginning Balance @	5/01/97	\$4,846,293.45
Add:		
Interest Earnings		27,185.61
Other additions		0.00
Deduct:		
Disbursements		0.00
Other deductions		0.00
Ending Balance @	05/31/97	<u>\$4,873,479.06</u>

Letters of Interpretation Applications
June 23, 1997

6/23/97 attachment

Applicant(s)	SCTM #: Location	Size in Acres; Zoning	Property Status	Application Status	Gross Allocation	Allocation Notes	Proposed Allocation
Patricia Baranello 5 Atlantic Avenue Blue Point, NY 11715	200-294-4-11	4.50 Acres A Residence 2	New Application- See attached report	Complete	4.5 x 0.40= 1.80	Pursuant to §6.3.3.4 of the Plan, allocation reduced by 1.0 PBC due to existing single family dwelling on parcel	0.80, subject to site inspection
Nicholas Aliano 11 Ashley Lane Shoreham, NY 11786	200-462-4-2	101.08 Acres A Residence 2	See attached report	Renewal	92.93 x 0.40= 37.172	8.15 acres of parcel encumbered by conservation easement	37.17
Norman Rossner 211 S. Hollybrook Dr. Apt. 305 Pembroke Pines, FL 33205	200-499-1-35	0.23 Acres A Residence 5	See attached report	Renewal	0.23 x 0.16= 0.0368	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Lucille Muscius 564 W. Hudson Street Long Beach, NY 11561	200-503-1-28	0.23 Acres A Residence 5	See attached report	Renewal	0.23 x 0.16= 0.0368	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Pasquale Izzo 455 Devonshire Road Baldwin, NY 11510- 3015	200-511-3-12	0.60 Acres A Residence 5	See attached report	Renewal	0.60 x 0.16= 0.096	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10

Abe Bolar, Jr. c/o Velma J. Redeau 6345 NE Rodney Portland, OR 97211	200-511-5-48	0.74 Acres A Residence 5	New Application- See attached report	Complete	0.74 x 0.16= 0.1184		0.12
Josephine LaSorsa 203 Piney Street Islip Terrace, NY 11752	200-511-6-15	0.72 Acres A Residence 5	See attached report	Renewal	0.72 x 0.16= 0.1152		0.12
Lucille Musicus 564 W. Hudson Street Long Beach, NY 11561	200-530-7-51	0.14 Acres A Residence 5	See attached report	Renewal	0.14 x 0.16= 0.0224	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
John D. Leonhardt and Margaret DeGeronimo* 175 Milton Avenue Levittown, NY 11756	900-167-2-8	0.23 Acres Country Residence 40	See attached report	Renewal	0.23 x 0.80= 0.184		0.18
Emanuel Parrilla and Phyllis Parrilla 98 Hillsboro Avenue Elmont, NY 11003	900-193-8-25	0.52 Acres Country Residence 200	See attached report	Renewal	0.52 x 0.16= 0.0832	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Emanuel Parrilla and Phyllis Parrilla** 98 Hillsboro Avenue Elmont, NY 11003	900-193-8-27	0.69 Acres Country Residence 200	See attached report	Renewal	0.69 x 0.16= 0.1104	PBC Certificate application received on September 20, 1996	
Emanuel Parrilla and Phyllis Parrilla*** 98 Hillsboro Avenue Elmont, NY 11003	900-193-8-28	0.69 Acres Country Residence 200	See attached report		0.69 x 0.16= 0.1104	PBC Certificate application received on September 20, 1996	

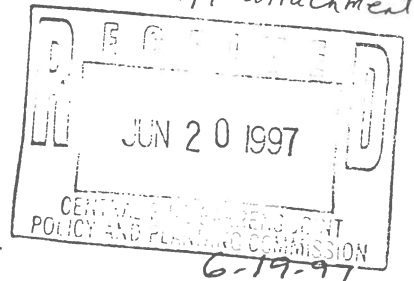
Emanuel Parrilla and Phyllis Parrilla** 98 Hillsboro Avenue Elmont, NY 11003	900-193-8-29	0.69 Acres Country Residence 200	See attached report	Renewal	0.69 x 0.16= 0.1104	PBC Certificate application received on September 20, 1996	
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-212-5-3	0.06 Acres Country Residence 200	See attached report	Renewal	0.06 x 0.16= 0.0096	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-212-5-4	0.11 Acres Country Residence 200	See attached report	Renewal	0.11 x 0.16= 0.0176	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-212-5-6	0.11 Acres Country Residence 200	See attached report	Renewal	0.11 x 0.16= 0.176	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-212-5-7	0.11 Acres Country Residence 200	See attached report	Renewal	0.11 x 0.16= 0.0176	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Thomas J. Zukas* 84 Pine Edge Drive East Moriches, NY 11940	900-215.3-1-8	1.1 Acres Country Residence 200	See attached report	Renewal	1.1 x 0.16= 0.176		0.18
Grace Barbera 13009 Boyne Highland Court Orlando, FL 32828	900-235-1-14	0.46 Acres Country Residence 200	See attached report	Renewal	0.46 x 0.16= 0.0736	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10

Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-235-1-50	0.11 Acres Country Residence 200	See attached report	Renewal	$0.11 \times 0.16 = 0.0176$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-235-1-51	0.11 Acres Country Residence 200	See attached report	Renewal	$0.11 \times 0.16 = 0.0176$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-235-1-53	0.15 Acres Country Residence 200	See attached report	Renewal	$0.15 \times 0.16 = 0.024$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-235-1- 54.1	0.05 Acres Country Residence 200	See attached report	Renewal	$0.05 \times 0.16 = 0.008$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-235-1- 54.2	0.05 Acres Country Residence 200	See attached report	Renewal	$0.05 \times 0.16 = 0.008$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10
Joseph O'Rourke and Patrick O'Rourke 58 Hewitt Boulevard Center Moriches, NY 11934	900-235-1-57	0.11 Acres Country Residence 200	See attached report	Renewal	$0.11 \times 0.16 = 0.0176$	Qualifies for minimum allocation of 0.10 PBCs pursuant to §6.7.6.7	0.10

Carmine Recine 15 Henry Street Farmingdale, NY 11735	900-306-4-5	0.78 Acres Country Residence 200	New Application- See attached report	Complete	$0.78 \times 0.16 =$ 0.1248		0.12
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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)



Pine Barrens Credit Clearing house

Re: Extension of Letter to Interpretation Applications

Dear Commission members,

Thanks for finding me the Renewal Appen

However I have no incentive to Renew. I
have held a .4 PBC for over 7 months - now I

have not been able to use it. I had one

offer of \$1500. (Fifteen Hundred Dollars) which I'm
not certain was real anyway & I have been
frustrated by not being able to use the PBC

myself. Because the last I want to use it

is not acceptable to the Town of Greenvale. I
have tried 3 times to land it or to see the

town says no!

I'll play Ball if there's a game.

**PINE BARRENS CREDIT CLEARINGHOUSE
CREDIT APPLICATION STAFF REPORT**

Prepared by: Donna J. Plunkett, R.L.A.

Issue Date: 12/14/95

Item	Tax Map Number: 900-335-1-1 & 2
Applicant Name	John DeRosa
Location/Access	Generally south of Hampton West Estates and CR 31, north of LIRR, Westhampton, Town of Southampton
Hagstrom Map #	Map 24, P-30
Aerial #	Not available at this time
Acreage	.46 and .37 acres respectively (old filed map - Hampton Springs Park)
Topography/Geologic Features	Generally flat, approximately 50' above mean sea level with drainage swales sloping southerly towards Beaver Dam Pond.
Soils (SC Soil Survey)	Generally CpA(Carver Plymouth sands 0-3% slopes) with CpC(Carver Plymouth sands 3-15% slopes) and CpA(Carver Plymouth 15-35% slopes) in swale areas.
Wetlands, Depth to Seasonal High Water Table, Surface Water, etc.	Not available at this time.
Vegetative Cover Type	Pitch Pine - Oak with Pitch Pine - Scrub Oak Barrens in vicinity. (as per Western Town GEIS)
Rare and Endangered Species	Not available at this time.
Cultural Resources	Not available at this time
Scenic Resources	Unknown
Land Use	Vacant.
Zoning	CR 200 (200,000 sf minimum)
School District	Westhampton Beach
Public Water	No
Public Sewer	No
Fire/Police District	Westhampton Beach
Other	

DRAFT

Amendment to Agreement

Amendment dated March __, 1997 between Nathan L. Serota ("Purchaser"), and The Pine Barrens Credit Clearinghouse ("Clearinghouse").

BACKGROUND

The Purchaser and the Clearinghouse entered into an Agreement dated January 1997 (the "Agreement") for the purchase and sale of 4 Pine Barrens Credits as more particularly described in the Agreement. The Purchaser and the Clearinghouse now desire to terminate their rights and obligations thereunder as provided herein.

Accordingly, the parties agree as follows:

1. The Agreement is hereby terminated in all respects and neither party has any further right or obligation pursuant to said Agreement.
2. Neither party has been damaged in any manner whatsoever under the Agreement.
3. The Purchaser hereby releases and discharges the Clearinghouse, its employees, agents, staff, successors and assigns, from all actions, suits, damages, claims and demands whatsoever arising out of the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date first above written.

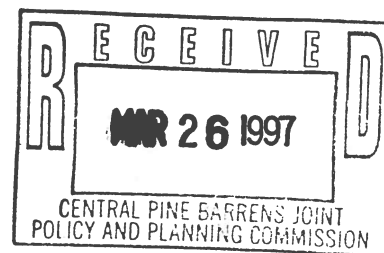
PURCHASER:

CLEARINGHOUSE:

Nathan L. Serota

James T. B. Tripp, Chairman
Pine Barrens Credit Clearinghouse

**Pine Barrens Financial Report
For the Month Ending
01/31/97**



Part I

Summary of Principal Balances

Money Market Balance 01/31/97	\$6,104.83	
Certificates of Deposit Balance as of 01/31/97	4,729,736.39	See Part III for details
Total Investment as of: 01/31/97	\$4,735,841.22	
	=====	

Part II

Summary of Pine Barrens Investment

Balance as of 11/21/95 (Inception Date)	\$4,950,000.00
Earnings thru 01/31/97	265,741.22
Disbs. thru 01/31/97	479,900.00
Balance as of: 01/31/97	\$4,735,841.22
	=====

Part III

Details of CD Investments

Bank	Orig. Date	Maturity Date	# of days	Principal Amt	Int. Rate	Anticipated Int.
North Fork	10/01/96	02/04/97	127	1,134,681.40	5.36%	21,455.56
North Fork	11/04/96	03/11/97	127	1,528,125.00	5.38%	29,002.96
North Fork	12/09/96	04/14/97	126	539,000.00	5.36%	10,111.64
North Fork	01/14/97	05/13/97	120	1,527,929.99	5.38%	27,400.88
Total CDs				\$4,729,736.39		

**Pine Barrens Financial Report
For the Month Ending
01/31/97**

Part IV

Summary of Activity

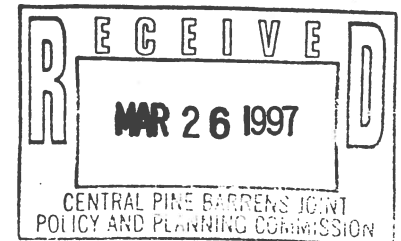
<u>Money Market</u>		<u>For the Month of January</u>
Beginning Balance @	1/01/97	\$485,663.31
<u>Receipts:</u>		
CD interest transferred into account	\$0.00	
Interest earned on account @2.50%	\$341.52	
Other	0.00	
		<u>341.52</u>
<u>Disbursements:</u>		
CD Investment	\$0.00	
Other	479,900.00	
		<u>479,900.00</u>
Ending Balance @	01/31/97	\$6,104.83

<u>Certificates of Deposit</u>		<u>For the Month of January</u>
Beginning Balance @	1/01/97	\$4,701,806.40
<u>Receipts:</u>		
Additional investment	\$0.00	
Interest earnings on account	\$27,929.99	
Other	0.00	
		<u>27,929.99</u>
<u>Disbursements:</u>		
CD Liquidation to Money Market	\$0.00	
Other	0.00	
		<u>0.00</u>
Ending Balance @	01/31/97	\$4,729,736.39

Part V

Summary

Beginning Balance @	1/01/97	\$5,187,469.71
<u>Add:</u>		
Interest Earnings		28,271.51
Other additions		0.00
<u>Deduct:</u>		
Disbursements		479,900.00
Other deductions		0.00
Ending Balance @	01/31/97	<u>\$4,735,841.22</u>



**Pine Barrens Financial Report
For the Month Ending
02/28/97**

Part I

Summary of Principal Balances

Money Market Balance 02/28/97	\$6,116.55	
Certificates of Deposit Balance as of 02/28/97	4,751,023.00	See Part III for details
Total Investment as of: 02/28/97	\$4,757,139.55	
	=====	

Part II

Summary of Pine Barrens Investment

Balance as of 11/21/95 (Inception Date)	\$4,950,000.00
Earnings thru 02/28/97	287,039.55
Disbs. thru 02/28/97	479,900.00
Balance as of: 02/28/97	\$4,757,139.55
	=====

Part III

Details of CD Investments

Bank	Orig. Date	Maturity Date	# of days	Principal Amt	Int. Rate	Anticipated Int.
North Fork	11/04/96	03/11/97	127	1,528,125.00	5.38%	29,002.96
North Fork	12/09/96	04/14/97	126	539,000.00	5.36%	10,111.64
North Fork	01/14/97	05/13/97	120	1,527,929.99	5.38%	27,400.88
North Fork	02/04/97	06/10/97	126	1,155,968.01	5.40%	21,847.80
Total CDs				\$4,751,023.00		

**Pine Barrens Financial Report
For the Month Ending
02/28/97**

Part IV

Summary of Activity

Money Market

**For the Month
of February**

Beginning Balance @	2/01/97		\$6,104.83
<u>Receipts:</u>			
CD interest transferred into account		\$0.00	
Interest earned on account @2.50%		\$11.72	
Other		0.00	
			11.72
<u>Disbursements:</u>			
CD Investment		\$0.00	
Other		0.00	
			0.00
Ending Balance @	02/28/97		\$6,116.55

Certificates of Deposit

**For the Month
of February**

Beginning Balance @	2/01/97		\$4,729,736.39
<u>Receipts:</u>			
Additional investment		\$0.00	
Interest earnings on account		\$21,286.61	
Other		0.00	
			21,286.61
<u>Disbursements:</u>			
CD Liquidation to Money Market		\$0.00	
Other		0.00	
			0.00
Ending Balance @	02/28/97		\$4,751,023.00

Part V

Summary

Beginning Balance @	2/01/97		\$4,735,841.22
<u>Add:</u>			
Interest Earnings			21,298.33
Other additions			0.00
<u>Deduct:</u>			
Disbursements			0.00
Other deductions			0.00
Ending Balance @	02/28/97		\$4,757,139.55

Date /Time: 3:00 3/26/97

NAME	REPRESENTING	ADDRESS	TELEPHONE/FAX
<i>John Hanley</i>	CPBC/SCWA	<i>Sunrise Hwy Great River</i>	563-0385
<i>John Hanley</i>	RVHD	RVHD	727-0396
<i>Jim Trigg</i>	Brookhaven	95 SCWA	286-3835
<i>Ray Corni</i>	CPB Commission		
<i>Christina Cooke</i>	Suff Co. Treasurer	Riverhead	852-2686
<i>Mitchell Pally</i>	State of NY	80 <i>Hempstead Rd</i> <i>Commack</i>	498-4400
<i>Doris E. Korn</i>	McMullen-Cuthan	Malverle	694-8000
<i>Tim Hylton</i>	SCWA		563-0308
<i>Janet Smit</i>	PBS	<i>Mannville</i>	369-3300
DENNIS MORAN	SCDHS	225 <i>RABBIT TR.</i> <i>Hempstead</i>	853-3084
<i>Buzz Schwenk</i>	<i>Omnibuzz Assoc</i>	38 <i>Little Plains Rd</i> <i>Southampton 11968</i>	288-0300/0515
ED QUAREMBA	NASSAU	56 PARKVIEW CIR.	BETHPAGE, N.Y 433-8145
<i>Bill Spitz</i>	<i>RAY E COWEN</i>	<i>NYSDEC</i>	<i>516 444 0419</i>
<i>Donna Plunkett</i>	<i>STAFF</i>		
JOE GAZZA	OWNER	POB 969 <i>Queens NY</i>	(516) 653.5766