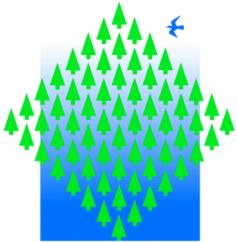


## **Commission Meeting of September 26, 2001** **Commission Office, Great River, NY**

Present: Mr. Proios (for Suffolk County), Mr. Murphree (for Southampton), Mr. Hanley (for Riverhead), Ms. Prusinowski (for Brookhaven)



**CENTRAL  
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BARRENS**  
JOINT  
PLANNING  
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### **Resolution on the Clearance Standard for Projects Using Pine Barrens Credits in Residential Overlay Districts in the Compatible Growth Area**

**Whereas**, NY Environmental Conservation Law(ECL) 57-0121.3(b) states that the “land use plan for the core preservation area, shall be designed to protect and preserve the ecologic and hydrologic functions of the Pine Barrens by prohibiting or redirecting new construction or development,” and

**Whereas**, ECL 57-0121.4(e) states that “the land use plan for the compatible growth area shall be designed to accommodate a portion of development redirected from the core preservation area,” and

**Whereas**, Chapter 6 of the Central Pine Barrens Comprehensive Land Use Plan (“*Plan*”), established the Pine Barrens Credit Program with its primary purpose being to maintain value in lands designated for preservation or protection under the *Plan* by providing for the allocation and use of Pine Barrens Credits (PBCs). The Pine Barrens Credit Program was established to promote development which is compact, efficient and orderly, and which is designed to protect the quality and quantity of surface waters and groundwater and the long term integrity of the pine barrens ecosystem, and

**Whereas**, a method of allocating Pine Barrens Credits was created in the *Plan* and receiving areas were identified by the Towns of Brookhaven, Riverhead, and Southampton and incorporated into the *Plan*, and

**Whereas**, Pine Barrens Credits generated in any area in the Central Pine Barrens within any town shall be redeemable for any as of right Pine Barrens Credit uses in each respective town as described in Chapter 6 of the *Plan*, and

**Whereas**, the Section 6.4.2.2.2 states that the minimum lot size in such designated residentially zoned receiving districts shall allow for the construction of necessary roads, recharge basins, and the possible dedication of open space, and

**Whereas**, the minimum lot size must also allow for the construction of accessory structures typical of residential dwellings, and

**Whereas**, Figure 5-1 of the *Plan*, “Clearance Standards,” specifies the maximum site clearance allowed as per zoning lot size in for development in the Compatible Growth Area, and

**Whereas**, the Commission intends the *Plan* to promote the continued as of right use of Pine Barrens Credits in receiving areas identified as Residential Overlay Districts (RODs) within the Compatible Growth Area, now therefore, be it

**Resolved**, for determining the maximum site clearance allowed for a site using Pine Barrens Credits in a ROD located in the Compatible Growth Area by applying Figure 5-1 of the *Plan*, “Clearance Standards,” the lot size as per the base zoning shall not apply, and be it further

**Resolved**, to determine the maximum site clearance allowed for a site using Pine Barrens Credits in a ROD located in the Compatible Growth Area, Figure 5-1 of the *Plan*, “Clearance Standards,” shall be interpolated, as per the actual lot size that results when PBCs are applied to the site, as long as Town Code requirements are met and the requirements of Section 6.4.2.2.2 of the *Plan* are met, where applicable, and be it further

**Resolved**, no additional special permits are required from the Commission.

**Record of Motion:**

Motion by B. Prusinowski

Seconded by R. Hanley

**Vote:** 4-0 approval