Appendix A-7
Parlato Property Development Rights Allocation Letters

THE LAW OFFICES OF

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California Bar '99
New York Bar '00

DEC 01 2015

November 30, 2015

VIA OVERNIGHT MAIL

Mr. Wayne Bruyn, Esq.
250 North Sea Road
Suite 102
Southampton, NY 11968

Re: C&C Shorelands, et.al to DLV Quogue, LLC

Wayne:

Please find enclosed updated Development Right Allocation Letters (DRALs) pursuant to the above referenced matter each with an extended expiration date of November 8, 2016. Pursuant to the Contract of Sale my clients are ready to close. Please forward the draft Amendment as discussed last week so I may prepare the mortgage and note as agreed upon by our clients.

If you should have any questions please feel free to call.

Sincerely,

Randall C. Weichbrodt, Esq.

Enc.

Town of Southampton

Department of Land Management
Planning Division
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
Fax: (631) 287-5706

Anna Throne-Holst
Town Supervisor

Kyle P. Collins
Town Planning And
Development Administrator

David A. Wilcox, Jr.
Director of Town Planning /
Development Right Manager

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL)

The property that is the subject of this Development Right Allocation Letter has **preliminarily** been determined to be a ☒ qualified property ☐ non-qualified property for the reasons outlined herein.

The Allocation has been calculated at **16.0** Development Rights.

DAWilcox Jr.

Issued by: _____ David A. Wilcox, Jr.
Signature

ISSUED: November 8 2013
EXPIRES: November 8 2016

OWNER: Swan Acres, LLC: as per
☒ 2007 Deed (Executor's Deed)
☒ Town of Southampton GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall C. Weichbrodt
PO Box 3042, East Quogue, NY 11942
631-653-6603
rcwlaw@optonline.net

PROPERTY LOC.: no number, east side of Pennsylvania Ave., north side of LIRR, west of property n/f Lar Sal Realty, Corp.; and south of property n/f John A. Forrest & Benny Lin

HAMLET: East Qogue

PROPERTY TYPE: ☐ Old Filed Map; ☐ Filed Mapped; ☒ Described

MAP NAME: not applicable

SCTM No.: 900-251-1-90

TOTAL AREA: 55.70587 acres (2,426,548 sq. ft.)
Area is based on: ☒ survey; ☐ filed map; ☐ tax map dimension; ☐ GIS

ZONING: prior to June 28, 1995 CPBOD: CR-200 and CR-120

The subject parcel of land conforms to the dimensional and area requirements of the applicable zoning. Access to Old Country Road is purported to be obtained via a rail road crossing at the southeast corner of the property and a right of way known as Central Avenue.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The site is located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - Farmland
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ New York State Central Pine Barrens (Town CEA)
  - ☒ Compatible Growth Area
  - ☒ Critical Resource Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Riverhead sandy loam; 0-3 percent slope; class 2 prime
Plymouth loamy sand; 0-3 percent slope; class 3 non prime
Plymouth loamy sand; 3-8 percent slope; class 3 non prime
Carver and Plymouth sand; 3-15 percent slope; class non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: 44 acres vacant woodland and 14 acres of cultivated land

Although the deed submitted with the application indicates that the subject property is in the map of "Estates of Quogue", it appears at some time in the past that the respective portion of the map was abandoned. Accordingly, the property is considered to be described acreage consisting of approximately 58 acres of land (44 acres woodland and 14 acres cultivated), in a long narrow rectangular configuration, 500 feet wide by 4,823 feet long, from about .5 miles south of the Sunrise Highway to the LIRR. The property is accessed from Old Country Road via a rail road crossing at the southeast corner of the property over what appears to be a right of way having the name of Central Blvd. The property also abuts Pennsylvania Avenue, to the west, in another portion of the map of "Estates of Quogue". Limited services and utilities are available to the property. The property is bounded on the east by approximately 72 acres of vacant unprotected woodland, on the west by approximately 96 acres of vacant unprotected woodland; and on the north by a 5.5 acre residentially developed property and on the south by the LIRR.

PROPERTY QUALIFICATION CRITERIA: (Check as applicable. Items that are required to be submitted must be included with Development Right Certificate Application in order to confirm qualification.)

1. (244-2A) ☒ The subject property meets at least one or more of the following:
   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.

2. (244-2A) ☒ The subject property is purported to be a separate tax lot parcel prior to:
   - ☐ October 23, 2001, the effective date of Chapter 244; **or**
   - ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
     - ☐ Tax map proof that the parcel existed on the 2001 tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
     - ☐ Tax map proof has been submitted; **or**
     - ☒ Tax map proof is not required because:
       - ☒ The parcel is the same configuration and tax map number as the 1980 tax map; **or**
       - ☐ Other: provide explaination

3. (244-2D) ☒ The portion of the subject property from which a development right certificate is requested is purported to have all development rights intact. The Town GIS however, indicates that the property is encumbered with a Conservation Easement.
   - ☒ A deed restriction title search is required for verification; **or**
   - ☐ A deed restriction title search has been submitted; **or**
   - ☐ A deed restriction title search is not required because: explain

4. (244-2F) ☐ The property, **if nonconforming to zoning**, is purported to be single and separate.
   - ☐ A single and separate title certification is required; **or**
   - ☐ A single and separate title certification has been submitted; **or**
   - ☐ A single and separate title certification is not required because:
     - ☐ The property is surrounded by streets; **or**
     - ☐ In this circumstance, whether the subject non-conforming parcel is single and separate, or not, the development right allocation is not affected

5. (244-3A) ☐ A County Clerk certified copy of the Filed Map is required and has been submitted ☐; **or**
   ☒ An original, sealed, certified survey of the property is required and has been submitted ☒

ALLOCATION CRITERIA and CALCULATION:

Upon review of the property that is the subject of this Development Right Allocation (DRA) Letter it is determined that the property is not located in the Old Filed Map Overlay District; is located in the Compatible Growth Area of the Central Pine Barrens Overlay District; does not contain wetlands; was a separate tax lot as of September 26, 1995, the effective date of Article XXIV; and was zoned CR-200 and CR-120 as of the June 28, 1995, the effective date of the Central Pine Barrens Plan.

Accordingly, pursuant to Town Code Section 244-2(J), allocation of development rights shall be pursuant to the provisions of Town Code Article XXIV (Central Pine Barrens Overlay District), whereby the resultant development right value is determined by multiplying the gross acreage of the property by the corresponding development yield factor in the allocation table at Town Code Section 330-221(B)2, based on the zoning in effect on June 28, 1995.

The subject property was bisected by the CR-120 and CR-200 zoning districts as of June 28, 1995. According to estimates of the location of the zoning line, approximately 13.11 acres were located in the CR-200 Zoning District and the balance 42.6 acres were located in the CR-120 Zoning District.

The development right yield factor for the CR-200 zone, in the Compatible Growth Area and outside the Old Filed Map Overlay District, is .16 which when multiplied with the corresponding 13.11 acres results in a development right allocation of 2.0976.

The development right yield factor for the CR-120 zone, in the Compatible Growth Area and outside the Old Filed Map Overlay District, is .27 which when multiplied with the corresponding 42.6 acres results in a development right allocation of 11.502.
Therefore, pursuant to Town Code Sections 244-2(J) and 330-221(B), the total development right allocation of 13.5996, rounded to the nearest 100th is 13.60 development rights.

Pursuant to Town Code 244-3(A) the allocation may be based on a subdivision yield map. The development yield map, based on the CR-200 and the CR-120 zoning of the property as of June 28, 1995, submitted with the application demonstrates a total yield of 16 lots.

CHECK IF APPLICABLE

☒ If the resulting Development Right Certificate is utilized for mitigation of over disturbance / clearing of other properties, the value shall be 363,982 sq. ft., (8.4 acres) the equivalent of 15% of the entire property.

☒ Because the applicant is proposing to lift all of the development rights with no residual development, use or rights remaining on the subject parcel, the parcel must be encumbered with a Development Right Easement or be deeded to the Town, County or qualifying conservation organization.

Accordingly, the subject parcel is **preliminarily** determined to be entitled to an allocation of **16 development rights**, subject to receipt of a complete Development Right Certificate Application and the items checked below.

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject property.
   - ☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Development Right Easement).
   - ☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).
3. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
4. ☒ Submission of a Transfer of Development Right Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, each to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
5. ☐ Certified Survey showing the locations of the zoning districts that existed on the subject property as of June 28, 1995
6. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

DISCLAIMER: This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.

Town of Southampton

DEPARTMENT OF LAND MANAGEMENT
PLANNING DIVISION
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
Fax: (631) 287-5706

ANNA THRONE-HOLST
TOWN SUPERVISOR

KYLE P. COLLINS
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

DAVID A. WILCOX, JR.
DIRECTOR OF TOWN PLANNING /
DEVELOPMENT RIGHT MANAGER

AMENDED

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL)
FOR
EAST QUOGUE DEVELOPMENT, LLC. –
OFM / COMPATIBLE GROWTH AREA

Primary Allocation: 3.1 **Secondary Allocation: 2.77725**

The properties that are the subject of this Development Right Allocation Letter have **preliminarily** been determined to be ☒ **qualified properties** ☐ non-qualified property for the reasons outlined herein.

DAWilcox Jr.

Issued by: _____ David A. Wilcox, Jr.
Signature

ISSUED: November 8, 2013 **EXPIRES:** November 8, 2016 (2nd 1-year extension)

OWNER: East Quogue Development LLC: as per
☒ 2006 Executor's Deed
☒ Town GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall Weichbrodt

PROPERTY LOC.: No street address
HAMLET: East Quogue

PROPERTY TYPE: Old Filed Map ☒ Filed Map ☐ Described ☐

ZONING: CR-200
The subject properties do not meet the minimum dimensional and area requirements of the CR-200 Zoning District, in which they are located, and are therefore non-conforming properties.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The properties are located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - CPB Critical Resource Area
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ New York State Central Pine Barrens (Town CEA)
  - ☒ Compatible Growth Area
  - ☒ Critical Resource Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Riverhead sandy loam; 0-3 percent slope; class 2 prime
Plymouth loamy sand; 0-3 percent slope; class 3 non prime
Plymouth loamy sand; 3-8 percent slope; class 3 non prime
Carver and Plymouth sand; 0-3 percent slope; class 4 & 7 non prime
Carver and Plymouth sand; 3-15 percent slope; class non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: vacant woodland

The properties are located in an Old Filed Map, originally consisting of approximately 96 acres of land, in a long narrow rectangular configuration, 430 feet wide by 1.6 miles long, from just north of the Sunrise Highway south to the LIRR. Although this old map is bisected by the Sunrise Highway and there are two paper roads from Old Country Road, crossing the LIRR, there are no physical rail road crossing improvements and there is no access to Sunrise Highway. Effectively the properties are landlocked. Water, electric, telephone and cable services are not readily available to these properties. This long, Old Filed Map corridor is bounded on the east by approximately 72 acres of vacant unprotected woodland and open fallow farmland; on the west by approximately 80 acres of vacant unprotected woodland; and on the north by a 1275 contiguous acres owned by Suffolk County and designated as open space and / or park.

PROPERTY QUALIFICATION CRITERIA: (all five criteria must be checked for the properties to be classified as a qualified for issuance of a Town Development Right Certificate)

1. (244-2A) ☒ The subject properties meet at least one or more of the following:
   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.

2. (244-2A) ☒ The subject properties are purported to have been separate tax lot parcels prior to:
   - ☐ October 23, 2001, the effective date of Chapter 244; **or**
   - ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
     - ☐ Tax map proof that the parcel existed on the 2001 tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
     - ☐ Tax map proof has been submitted; **or**
     - ☒ Tax map proof is not required because:
       - ☒ The parcel is same configuration as the 1980 tax map, with the exception of abandoned streets; **or**
       - ☐ Other: provide explaination

3. (244-2D) ☒ The portion of the subject properties from which development right certificate are requested are purported to have all development rights intact.
   - ☒ A deed restriction title search is required for verification; **or**
   - ☐ A deed restriction title search has been submitted; **or**
   - ☐ A deed restriction title search is not required because: explain

4. (244-2F) ☒ The subject properties are purported to be single and separate parcels, if nonconforming to zoning.
   - ☐ A single and separate title certification is required for verification; **or**
   - ☐ A single and separate title certification has been submitted; **or**
   - ☒ A single and separate title certification is not required because:
     - ☐ The properties are surrounded by streets; **or**
     - ☒ In this circumstance, whether the subject non-conforming parcels are single and separate, or not, the development right allocation is not affected

5. (244-3A) ☒ A County Clerk certified copy of the Filed Map is required and has been submitted for each of the properties ☐; **or**
   - ☐ An original, sealed, certified survey of the each of the properties are required and have been submitted ☐

ALLOCATION CRITERIA and CALCULATION:

The properties that are the subject of this Development Right Allocation (DRA) Letter are located in the Old Filed Map Overlay District and in the **Compatible Growth Area** of the Central Pine Barrens Overlay District.

Accordingly, the development right allocation may have multiple values, depending on how the Development Right Certificate is redeemed.

The Primary value will be applicable when the Development Right Certificate is redeemed for any purpose other than a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-J, whereby the development right value is determined by the property acreage multiplied by the respective Development Yield Factor, pursuant to Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(2) and the Central Pine Barren Comprehensive Land Use Plan (CLUP), Section 6.3.1.1, as amended on Nov. 21, 2012.

The Secondary values will be applicable when the Development Right Certificate is redeemed as a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-I, whereby the development right value is determined by the ratio of the square footage of the subject property divided by the minimum lot area requirement for the underlying zoning district, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-53(B) and 330-56(B) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Because the development rights originate in the CR-200 zoning district, if redeemed for Old Filed Map development outside the CR-200, CR-120 or R-120 zoning districts, the value shall be increased by a factor of 2.5, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-56(C) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Accordingly, the respective properties are **preliminarily** determined to be entitled to the development right and site disturbance **allocations indicated in the following table**

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject property.
   - ☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Conservation Easement).
   - ☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).
2. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
3. ☒ Submission of a Transfer of Development Right - Conservation Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
4. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

DISCLAIMER: This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.

OLD FILED MAPS - ESTATES OF QUOGUE (owner East Quogue Development LLC) Located in the Compatible Growth Area (CR-200 Zone currently and in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330-56(B) and 330-56(C); using current CR-200 zoning		Compatible Growth Area Dev. Right Allocation = Gross Ac. X .16, pursuant to 244-2 (J) and 330-221 (B)(2); using 1995, CR-200 zoning and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
220-1-66	6/18/1912	521	2	4	121-128	16,000	0.0800	0.200	0.06	9,600
220-1-72	6/18/1912	521	2	6	169-171, 174-176	12,000	0.0600	0.150	0.05	9,000
220-1-74	6/18/1912	521	2	6	185-192	16,000	0.0800	0.200	0.06	9,600
220-1-76	7/23/1912	375	3	1	10-16	14,000	0.0700	0.175	0.06	10,500
220-1-79	7/23/1912	375	3	1	25-32	16,000	0.0800	0.200	0.06	9,600
220-1-81	7/23/1912	375	3	2	41-48	16,000	0.0800	0.200	0.06	9,600
220-1-84	7/23/1912	375	3	2	57-64	16,000	0.0800	0.200	0.06	9,600
251-1-4	7/23/1912	375	3	3	73-80	16,000	0.0800	0.200	0.06	9,600
251-1-12	7/23/1912	375	3	4	105-110	12,000	0.0600	0.150	0.05	9,000
251-1-15	7/23/1912	375	3	4	121-128	16,000	0.0800	0.200	0.06	9,600
251-1-18	7/23/1912	375	3	5	137-144	16,000	0.0800	0.200	0.06	9,600
251-1-22	7/23/1912	375	3	5	153-160	16,000	0.0800	0.200	0.06	9,600
TOTAL						**182,000**	**.91**	**2.275**	**0.70**	**114,900**

OLD FILED MAPS - ESTATES OF QUOGUE (owner East Quogue Development LLC) Located in the Compatible Growth Area (CR-200 Zone currently and CR-120 in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330-56(B) and 330-56(C); using current CR-200 zoning		Compatible Growth Area Dev. Right Allocation = Gross Ac. X .27, pursuant to 244-2 (J) using 1995, CR-120 zoning pursuant to 330-221 (B)(2) and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
251-1-35	10/9/1912	321	4	2	57-59, 62-64	12,000	0.06000	0.150000	0.08	9,000
251-1-36.1	10/9/1912	321	4	2	60	2,000	0.01000	0.025000	0.02	1,500
251-1-38	10/9/1912	321	4	3	86-96	16,000	0.08000	0.200000	0.10	9,600
251-1-39	10/9/1912	321	4	3	73-80	16,000	0.08000	0.200000	0.10	9,600
251-1-42	10/9/1912	321	4	4	105-111	14,000	0.07000	0.175000	0.09	10,500
251-1-45	10/9/1912	321	4	4	112	2,000	0.01000	0.025000	0.02	1,500
251-1-44	10/9/1912	321	4	4	121-128	16,000	0.08000	0.200000	0.10	9,600
251-1-47	10/9/1912	321	4	5	137-144	16,000	0.08000	0.200000	0.10	9,600
251-1-51	10/9/1912	321	4	5	153	2,000	0.01000	0.025000	0.02	1,500
251-1-53	10/9/1912	321	4	6	169-176	16,000	0.08000	0.200000	0.10	9,600
251-1-57	10/9/1912	321	4	6	185-187, 190-192	12,000	0.06000	0.150000	0.08	9,000
251-1-59	12/28/1912	484	5	1	9-14	12,000	0.06000	0.150000	0.08	9,000
251-1-62	12/28/1912	484	5	1	25-32	16,000	0.08000	0.200000	0.10	9,600
251-1-65	12/28/1912	484	5	2	41-43, 48	8,000	0.04000	0.100000	0.05	6,000
251-1-68	12/28/1912	484	5	2	57-64	16,000	0.08000	0.200000	0.10	9,600
289-2-36	12/28/1912	484	5	3	89-96	16,000	0.08000	0.200000	0.10	9,600
289-2-38	12/28/1912	484	5	3	73-80	16,000	0.08000	0.200000	0.10	9,600
289-2-31	12/28/1912	484	5	4	121,-123, 126-128	12,000	0.06000	0.150000	0.08	9,000
289-2-34	12/28/1912	484	5	4	105-112	16,000	0.08000	0.200000	0.10	9,600
289-2-26	1/28/1913	545	6	1	25-29, 31, 32	14,000	0.07000	0.175000	0.09	10,500

289-2-29	1/28/1913	545	6	1	9-16	16,000	0.08000	0.200000	0.10	9,600
289-2-20	1/28/1913	545	6	2	57-59, 62-64	12,000	0.06000	0.150000	0.08	9,000
289-2-22	1/28/1913	545	6	2	33-38	12,000	0.06000	0.150000	0.08	9,000
289-2-24	1/28/1913	545	6	2	41-48	16,000	0.08000	0.200000	0.10	9,600
289-2-1	1/28/1913	545	6	3	65-78, 81-95	58,000	0.29000	0.725000	0.36	29,000
289-2-3	1/28/1913	545	6	3	96	6,000	0.03000	0.075000	0.04	4,500
289-2-5	1/28/1913	545	6	3	115' x 60' / 2	3,450	0.01725	0.043125	0.03	2,588
TOTAL						**373,450**	**1.86725**	**4.668125**	**2.40**	**236,788**
GRAND TOTAL						**555,450**	**2.77725**	**6.943125**	**3.1**	**351,688**

Note: Tax Parcels 251-1-35 and 36.1; and 251-1-42 and 45, respectively, are contiguous and will be combined for the purpose of issuing the Development Right Certificates.

Town of Southampton

DEPARTMENT OF LAND MANAGEMENT
PLANNING DIVISION
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
Fax: (631) 287-5706

ANNA THRONE-HOLST
TOWN SUPERVISOR

KYLE P. COLLINS
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

DAVID A. WILCOX, JR.
DIRECTOR OF TOWN PLANNING /
DEVELOPMENT RIGHT MANAGER

AMENDED

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL) FOR

C & C SHORELANDS, INC. – OFM / COMPATIBLE GROWTH AREA

Primary Allocation: .10 **Secondary Allocation: .08**

The properties that are the subject of this Development Right Allocation Letter have **preliminarily** been determined to be ☒ **qualified properties** ☐ non-qualified property for the reasons outlined herein.

Issued by: D A Wilcox Jr. David A. Wilcox, Jr.
Signature

ISSUED: November 8, 2013 **EXPIRES:** November 8, 2016 (2nd 1- year extension)

OWNER: C & C Shorelands, Inc: as per
☒ 2005 Bargain and Sale Deed
☒ Town GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall Weichbrodt

PROPERTY LOC.: No street address
HAMLET: East Quogue

PROPERTY TYPE: Old Filed Map ☒ Filed Map ☐ Described ☐

ZONING: CR-200
The subject properties do not meet the minimum dimensional and area requirements of the CR-200 Zoning District, in which they are located, and are therefore non-conforming properties.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The properties are located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - CPB Critical Resource Area
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ New York State Central Pine Barrens (Town CEA)
  - ☒ Compatible Growth Area
  - ☒ Critical Resource Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Riverhead sandy loam; 0-3 percent slope; class 2 prime
Plymouth loamy sand; 0-3 percent slope; class 3 non prime
Plymouth loamy sand; 3-8 percent slope; class 3 non prime
Carver and Plymouth sand; 0-3 percent slope; class 4 & 7 non prime
Carver and Plymouth sand; 3-15 percent slope; class non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: vacant woodland

The properties are located in an Old Filed Map, originally consisting of approximately 96 acres of land, in a long narrow rectangular configuration, 430 feet wide by 1.6 miles long, from just north of the Sunrise Highway south to the LIRR. Although this old map is bisected by the Sunrise Highway and there are two paper roads from Old Country Road, crossing the LIRR, there are no physical rail road crossing improvements and there is no access to Sunrise Highway. Effectively the properties are landlocked. Water, electric, telephone and cable services are not readily available to these properties. This long, Old Filed Map corridor is bounded on the east by approximately 72 acres of vacant unprotected woodland and open fallow farmland; on the west by approximately 80 acres of vacant unprotected woodland; and on the north by a 1275 contiguous acres owned by Suffolk County and designated as open space and / or park.

PROPERTY QUALIFICATION CRITERIA: (all five criteria must be checked for the properties to be classified as a qualified for issuance of a Town Development Right Certificate)

1. (244-2A) ☒ The subject properties meet at least one or more of the following:
   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.

2. (244-2A) ☒ The subject properties are purported to have been separate tax lot parcels prior to:
   - ☐ October 23, 2001, the effective date of Chapter 244; **or**
   - ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
     - ☐ Tax map proof that the parcel existed on the applicable tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
     - ☐ Tax map proof has been submitted; **or**
     - ☒ Tax map proof is not required because:
       - ☒ The parcel is same configuration as the 1980 tax map, with the exception of abandoned streets; **or**
       - ☐ Other: provide explaination

3. (244-2D) ☒ The portion of the subject properties from which development right certificates are requested are purported to have all development rights intact.
   - ☒ A deed restriction title search is required for verification; **or**
   - ☐ A deed restriction title search has been submitted; **or**
   - ☐ A deed restriction title search is not required because: explain

4. (244-2F) ☒ The subject properties are purported to be single and separate parcels, if nonconforming to zoning.
   - ☐ A single and separate title certification is required for verification; **or**
   - ☐ A single and separate title certification has been submitted; **or**
   - ☒ A single and separate title certification is not required because:
     - ☐ The properties are surrounded by streets; **or**
     - ☒ In this circumstance, whether the subject non-conforming parcels are single and separate, or not, the development right allocation is not affected

5. (244-3A) ☒ A County Clerk certified copy of the Filed Map is required and has

been submitted for each of the properties ☐; **or**

☐ An original, sealed, certified survey of the each of the properties are required and have been submitted ☐

ALLOCATION CRITERIA and CALCULATION:

The properties that are the subject of this Development Right Allocation (DRA) Letter are located in the Old Filed Map Overlay District and in the **Compatible Growth Area** of the Central Pine Barrens Overlay District.

Accordingly, the development right allocation may have multiple values, depending on how the Development Right Certificate is redeemed.

The Primary value will be applicable when the Development Right Certificate is redeemed for any purpose other than a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-J, whereby the development right value is determined by the property acreage multiplied by the respective Development Yield Factor, pursuant to Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(2) and the Central Pine Barren Comprehensive Land Use Plan (CLUP), Section 6.3.1.1, as amended on Nov. 21, 2012.

The Secondary values will be applicable when the Development Right Certificate is redeemed as a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-I, whereby the development right value is determined by the ratio of the square footage of the subject property divided by the minimum lot area requirement for the underlying zoning district, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-53(B) and 330-56(B) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Because the development rights originate in the CR-200 zoning district, if redeemed for Old Filed Map development outside the CR-200, CR-120 or R-120 zoning districts, the value shall be increased by a factor of 2.5, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-56(C) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Accordingly, the respective properties are **preliminarily** determined to be entitled to the development right and site disturbance **allocations indicated in the following table**

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject property.
   - ☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Conservation Easement).

☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).

2. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
3. ☒ Submission of a Transfer of Development Right - Conservation Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
4. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

DISCLAIMER: This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.

OLD FILED MAPS - ESTATES OF QUOGUE (owner C&C Shorelands, Inc.) Located in the Compatible Growth Area (CR-200 Zone currently and CR-120 in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330- 56(B) and 330-56(C); using current CR-200 zoning		**A** Compatible Growth Area Dev. Right Allocation = Gross Ac. X .27, pursuant to 244-2 (J) using 1995, CR-120 zoning pursuant to 330-221 (B)(2) and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							B if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	**C** if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
251-1-61	12/18/1912	484	5	1	1-8	16,000	0.08	0.20	0.10	9,600
TOTAL						**16,000**	**0.08**	**0.20**	**0.10**	**9,600**

Town of Southampton

DEPARTMENT OF LAND MANAGEMENT
PLANNING DIVISION
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
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TOWN SUPERVISOR

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TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

DAVID A. WILCOX, JR.
DIRECTOR OF TOWN PLANNING /
DEVELOPMENT RIGHT MANAGER

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL)
FOR

CAROLYN PARLATO – OFM / CORE PRESERVATION AREA

Primary Allocation: .86 **Secondary Allocation: .8602**

The properties that are the subject of this Development Right Allocation Letter have **preliminarily** been determined to be ☒ **qualified properties** ☐ non-qualified property for the reasons outlined herein.

DAWilcox Jr.

Issued by: _____ David A. Wilcox, Jr.
Signature

ISSUED: November 8, 2013 **EXPIRES:** November 8, 2016 (2nd 1-year extension)

OWNER: Carolyn Parlato: as per
☒ 1983 Executor's Deed
☒ Town GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall Weichbrodt

PROPERTY LOC.: No street address

HAMLET: East Quogue

PROPERTY TYPE: Old Filed Map ☒ Filed Map ☐ Described ☐

ZONING: CR-200
The subject properties do not meet the minimum dimensional and area requirements of the CR-200 Zoning District, in which they are located, and are therefore non-conforming properties.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The properties are located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - CPB Core Preservation
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ Sears Bellows Park additions (County CEA) (only those parcels north of NYS-27)
- ☒ New York State Central Pine Barrens (Town CEA)
  - ☒ Core Preservation Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Carver and Plymouth sand; 3-15 percent slope; class 7 non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: vacant woodland

The properties are located in an Old Filed Map, originally consisting of approximately 96 acres of land, in a long narrow rectangular configuration, 430 feet wide by 1.6 miles long, from just north of the Sunrise Highway south to the LIRR. Although this old map is bisected by the Sunrise Highway and there are two paper roads from Old Country Road, crossing the LIRR, there are no physical rail road crossing improvements and there is no access to Sunrise Highway. Effectively the properties are landlocked. Water, electric, telephone and cable services are not readily available to these properties. This long, Old Filed Map corridor is bounded on the east by approximately 72 acres of vacant unprotected woodland and open fallow farmland; on the west by approximately 80 acres of vacant unprotected woodland; and on the north by a 1275 contiguous acres owned by Suffolk County and designated as open space and / or park.

PROPERTY QUALIFICATION CRITERIA: (all five criteria must be checked for the properties to be classified as a qualified for issuance of a Town Development Right Certificate)

1. (244-2A) ☒ The subject properties meet at least one or more of the following:
   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.

2. (244-2A) ☒ The subject properties are purported to have been separate tax lot parcels prior to:
   - ☐ October 23, 2001, the effective date of Chapter 244; **or**
   - ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
     - ☐ Tax map proof that the parcels existed on the 2001 tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
     - ☐ Tax map proof has been submitted; **or**
     - ☒ Tax map proof is not required because:
       - ☒ The parcels are the same configuration as the 1980 tax map, with the exception of abandoned streets; **or**
       - ☐ Other: provide explanation

3. (244-2D) ☒ The portion of the subject properties from which development right certificates are requested are purported to have all development rights intact.
   - ☒ A deed restriction title search is required for verification; **or**
   - ☐ A deed restriction title search has been submitted; **or**
   - ☐ A deed restriction title search is not required because: explain

4. (244-2F) ☒ The subject properties are purported to be single and separate parcels, if nonconforming to zoning.
   - ☐ A single and separate title certification is required for verification; **or**
   - ☐ A single and separate title certification has been submitted; **or**
   - ☒ A single and separate title certification is not required because:
     - ☐ The property is surrounded by streets; **or**
     - ☒ In this circumstance, whether the subject non-conforming parcels are single and separate, or not, the development right allocation is not affected

5. (244-3A) ☒ A County Clerk certified copy of the Filed Maps are required and have been submitted for each of the properties ☐; **or**
   ☐ An original, sealed, certified survey of the each of the properties are required and have been submitted ☐

ALLOCATION CRITERIA and CALCULATION:

The properties that are the subject of this Development Right Allocation (DRA) Letter are located in the Old Filed Map Overlay District and in the **Core Preservation Area** of the Central Pine Barrens Overlay District.

Accordingly, the development right allocation may have multiple values, depending on how the Development Right Certificate is redeemed.

The Primary value will be applicable when the Development Right Certificate is redeemed for any purpose other than a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-J, whereby the development right value is determined by the property acreage multiplied by the respective Development Yield Factor, pursuant to Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(2) and the Central Pine Barren Comprehensive Land Use Plan (CLUP), Section 6.3.1.1, as amended on Nov. 21, 2012.

The Secondary values will be applicable when the Development Right Certificate is redeemed as a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-I, whereby the development right value is determined by the ratio of the square footage of the subject property divided by the minimum lot area requirement for the underlying zoning district, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-53(B) and 330-56(B) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Because the development rights originate in the CR-200 zoning district, if redeemed for Old Filed Map development outside the CR-200, CR-120 or R-120 zoning districts, the value shall be increased by a factor of 2.5, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-56(C) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Accordingly, the respective properties are **preliminarily** determined to be entitled to the development right and site disturbance **allocations indicated in the following table**

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject properties.
   - ☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Conservation Easement).
   - ☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).

2. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
3. ☒ Submission of a Transfer of Development Right - Conservation Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, each to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
4. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

DISCLAIMER: This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.

OLD FILED MAPS - ESTATES OF QUOGUE (owner Carolyn Parlato) Located in the Core Preservation Area (CR-200 Zone current and in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330-56(B) and 330-56(C); using current CR-200 zoning		Core Preservation Area / OFM Dev. Right Allocation = Gross Ac. X .20, pursuant to 244-2 (J) using 1995, CR-200 zoning pursuant to 330-221 (B)(2) rounded up to nearest .01 in accordance with the Nov. 21, 2012, rounding up and allocation table amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
220-1-9	1/28/1913	545	7	1	24-35	24,000	0.1200	0.3000	0.12	14,400
220-1-12	1/28/1913	545	7	1	1-11	22,000	0.1100	0.2750	0.11	13,200
220-1-7	1/28/1913	545	7	2	80x240, p/o 70-81	19,200	0.0960	0.2400	0.09	11,520
220-1-15	1/28/1913	545	7	2	47-57	22,000	0.1100	0.2750	0.11	13,200
220-1-109	1/28/1913	545	7	4	na	840	0.0042	0.0105	0.01	630
220-1-17	1/28/1913	545	7	5	185-195	22,000	0.1100	0.2750	0.11	13,200
220-1-19	1/28/1913	545	7	5	208-219	24,000	0.1200	0.3000	0.12	14,400
220-1-34	1/28/1913	545	7	6	236-241	22,000	0.1100	0.2750	0.11	13,200
220-1-36	1/28/1913	545	7	6	261-265	10,000	0.0500	0.1250	0.05	7,500
220-1-39	1/28/1913	545	7	6	256-258	6,000	0.0300	0.0750	0.03	4,500
TOTAL						**172,040**	**0.8602**	**2.1505**	**0.86**	**105,750**

Town of Southampton

DEPARTMENT OF LAND MANAGEMENT
PLANNING DIVISION
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
Fax: (631) 287-5706

ANNA THRONE-HOLST
TOWN SUPERVISOR

KYLE P. COLLINS
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

DAVID A. WILCOX, JR.
DIRECTOR OF TOWN PLANNING /
DEVELOPMENT RIGHT MANAGER

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL)
FOR

CHARLES PARLATO – OFM / COMPATIBLE GROWTH AREA

Primary Allocation: .49 **Secondary Allocation: .47**

The properties that are the subject of this Development Right Allocation Letter have **preliminarily** been determined to be ☒ **qualified properties** ☐ non-qualified property for the reasons outlined herein.

DAWilcox Jr.

Issued by: _____ David A. Wilcox, Jr.
Signature

ISSUED: November 8, 2013 **EXPIRES:** November 8, 2016 (2nd 1-year extension)

OWNER: Charles Parlato: as per
- ☒ 2-2002 Bargain and Sale Deeds
- ☒ 2-2005 Bargain and Sale Deeds
- ☒ Town GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall Weichbrodt

PROPERTY LOC.: No street address
HAMLET: East Quogue

PROPERTY TYPE: Old Filed Map ☒ Filed Map ☐ Described ☐

ZONING: CR-200
The subject properties do not meet the minimum dimensional and area requirements of the CR-200 Zoning District, in which they are located, and are therefore non-conforming properties.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The properties are located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - CPB Critical Resource Area
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ New York State Central Pine Barrens (Town CEA)
  - ☒ Compatible Growth Area
  - ☒ Critical Resource Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Riverhead sandy loam; 0-3 percent slope; class 2 prime
Plymouth loamy sand; 0-3 percent slope; class 3 non prime
Plymouth loamy sand; 3-8 percent slope; class 3 non prime
Carver and Plymouth sand; 0-3 percent slope; class 4 & 7 non prime
Carver and Plymouth sand; 3-15 percent slope; class non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: vacant woodland

The properties are located in an Old Filed Map, originally consisting of approximately 96 acres of land, in a long narrow rectangular configuration, 430 feet wide by 1.6 miles long, from just north of the Sunrise Highway south to the LIRR. Although this old map is bisected by the Sunrise Highway and there are two paper roads from Old Country Road, crossing the LIRR, there are no physical rail road crossing improvements and there is no access to Sunrise Highway. Effectively the properties are landlocked. Water, electric, telephone and cable services are not readily available to these properties. This long, Old Filed Map corridor is bounded on the east by approximately 72 acres of vacant unprotected woodland and open fallow farmland; on the west by approximately 80 acres of vacant unprotected woodland; and on the north by a 1275 contiguous acres owned by Suffolk County and designated as open space and / or park.

PROPERTY QUALIFICATION CRITERIA: (all five criteria must be checked for the properties to be classified as a qualified for issuance of a Town Development Right Certificate)

1. (244-2A) ☒ The subject properties meet at least one or more of the following:
   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.

2. (244-2A) ☒ The subject properties are purported to have been separate tax lot parcels prior to:
   - ☐ October 23, 2001, the effective date of Chapter 244; **or**
   - ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
     - ☐ Tax map proof that the parcel existed on the applicable tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
     - ☐ Tax map proof has been submitted; **or**
     - ☒ Tax map proof is not required because:
       - ☒ The parcel is same configuration as the 1980 tax map, with the exception of abandoned streets; **or**
       - ☐ Other: provide explaination

3. (244-2D) ☒ The portion of the subject properties from which development right certificates are requested are purported to have all development rights intact.
   - ☒ A deed restriction title search is required for verification; **or**
   - ☐ A deed restriction title search has been submitted; **or**
   - ☐ A deed restriction title search is not required because: explain

4. (244-2F) ☒ The subject properties are purported to be single and separate parcels, if nonconforming to zoning.
   - ☐ A single and separate title certification is required for verification; **or**
   - ☐ A single and separate title certification has been submitted; **or**
   - ☒ A single and separate title certification is not required because:
     - ☐ The properties are surrounded by streets; **or**
     - ☒ In this circumstance, whether the subject non-conforming parcels are single and separate, or not, the development right allocation is not affected

5. (244-3A) ☒ A County Clerk certified copy of the Filed Map is required and has been submitted for each of the properties ☐; **or**
   - ☐ An original, sealed, certified survey of the each of the properties

are required and have been submitted ☐

ALLOCATION CRITERIA and CALCULATION:

The properties that are the subject of this Development Right Allocation (DRA) Letter are located in the Old Filed Map Overlay District and in the **Compatible Growth Area** of the Central Pine Barrens Overlay District.

Accordingly, the development right allocation may have multiple values, depending on how the Development Right Certificate is redeemed.

The Primary value will be applicable when the Development Right Certificate is redeemed for any purpose other than a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-J, whereby the development right value is determined by the property acreage multiplied by the respective Development Yield Factor, pursuant to Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(2) and the Central Pine Barren Comprehensive Land Use Plan (CLUP), Section 6.3.1.1, as amended on Nov. 21, 2012.

The Secondary values will be applicable when the Development Right Certificate is redeemed as a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-I, whereby the development right value is determined by the ratio of the square footage of the subject property divided by the minimum lot area requirement for the underlying zoning district, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-53(B) and 330-56(B) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Because the development rights originate in the CR-200 zoning district, if redeemed for Old Filed Map development outside the CR-200, CR-120 or R-120 zoning districts, the value shall be increased by a factor of 2.5, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-56(C) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Accordingly, the respective properties are **preliminarily** determined to be entitled to the development right and site disturbance **allocations indicated in the following table**

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject property.
   - ☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Conservation Easement).
   - ☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).

2. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
3. ☒ Submission of a Transfer of Development Right - Conservation Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
4. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

DISCLAIMER: This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.

OLD FILED MAPS - ESTATES OF QUOGUE (owner Charles Parlato) Located in the Compatible Growth Area (CR-200 Zone currently and in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330- 56(B) and 330-56(C); using current CR-200 zoning		Compatible Growth Area Dev. Right Allocation = Gross Ac. X .16, pursuant to 244-2 (J) using 1995, CR-200 zoning pursuant to 330-221 (B)(2) and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
220-1-56	6/18/1912	521	2	3	66-67; 70-71	8,000	0.04	0.100	0.03	6,000
220-1-59	6/18/1912	521	2	3	74-78	10,000	0.05	0.125	0.04	7,500
220-1-60	6/18/1912	521	2	3	81-82; 86-96	26,000	0.13	0.325	0.10	15,600
TOTAL						**44,000**	**0.22**	**0.550**	**0.17**	**29,100**

OLD FILED MAPS - ESTATES OF QUOGUE (owner Charles Parlato) Located in the Compatible Growth Area (CR-200 Zone currently and CR-120 in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330- 56(B) and 330-56(C); using current CR-200 zoning		Compatible Growth Area Dev. Right Allocation = Gross Ac. X .27, pursuant to 244-2 (J) using 1995, CR-120 zoning pursuant to 330-221 (B)(2) and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
251-1-43	8/9/1912	321	4	4	97-104	16,000	0.08	0.200	0.10	9,600
251-1-46	8/9/1912	321	4	4	113-120	16,000	0.08	0.200	0.10	9,600
251-1-50.1	8/9/1912	321	4	5	158-160	6,000	0.03	0.075	0.04	4,500
251-1-50.2	8/9/1912	321	4	5	154-157	8,000	0.04	0.100	0.05	6,000
289-2-28	1/28/1913	545	6	1	1-8 **	4,416	0.02	0.055	0.03	3,312
TOTAL						**50,416**	**0.25**	**0.630**	**0.32**	**33,012**
GRAND TOTAL						**94,416**	**0.47**	**1.180**	**0.49**	**62,112**

** 11,584 square feet of the 16,000 square foot property were used for development rights on TDR Declaration L. 12417, P. 507 recorded Oct. 31, 2005

Town of Southampton

DEPARTMENT OF LAND MANAGEMENT
PLANNING DIVISION
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
Fax: (631) 287-5706

ANNA THRONE-HOLST
TOWN SUPERVISOR

KYLE P. COLLINS
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

DAVID A. WILCOX, JR.
DIRECTOR OF TOWN PLANNING /
DEVELOPMENT RIGHT MANAGER

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL)
FOR

CHARLES PARLATO – OFM / CORE PRESERVATION AREA

Primary Allocation: .16 **Secondary Allocation: .17**

The properties that are the subject of this Development Right Allocation Letter have **preliminarily** been determined to be ☒ **qualified properties** ☐ non-qualified property for the reasons outlined herein.

DAWilcox Jr.

Issued by: _____ David A. Wilcox, Jr.
Signature

ISSUED: November 8, 2013 **EXPIRES:** November 8, 2016 (2nd 1-year extension)

OWNER: Charles Parlato: as per
☒ 2002 Bargain and Sale Deed
☒ Town GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall Weichbrodt

PROPERTY LOC.: No street address

HAMLET: East Quogue

PROPERTY TYPE: Old Filed Map ☒ Filed Map ☐ Described ☐

ZONING: CR-200
The subject properties do not meet the minimum dimensional and area requirements of the CR-200 Zoning District, in which they are located, and are therefore non-conforming properties.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The properties are located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - CPB Core Preservation
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ Sears Bellows Park additions (County CEA) (only those parcels north of NYS-27)
- ☒ New York State Central Pine Barrens (Town CEA)
  - ☒ Core Preservation Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Carver and Plymouth sand; 3-15 percent slope; class 7 non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: vacant woodland

The properties are located in an Old Filed Map, originally consisting of approximately 96 acres of land, in a long narrow rectangular configuration, 430 feet wide by 1.6 miles long, from just north of the Sunrise Highway south to the LIRR. Although this old map is bisected by the Sunrise Highway and there are two paper roads from Old Country Road, crossing the LIRR, there are no physical rail road crossing improvements and there is no access to Sunrise Highway. Effectively the properties are landlocked. Water, electric, telephone and cable services are not readily available to these properties. This long, Old Filed Map corridor is bounded on the east by approximately 72 acres of vacant unprotected woodland and open fallow farmland; on the west by approximately 80 acres of vacant unprotected woodland; and on the north by a 1275 contiguous acres owned by Suffolk County and designated as open space and / or park.

PROPERTY QUALIFICATION CRITERIA: (all five criteria must be checked for the properties to be classified as a qualified for issuance of a Town Development Right Certificate)

1. (244-2A) ☒ The subject properties meet at least one or more of the following:
   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.

2. (244-2A) ☒ The subject properties are purported to have been separate tax lot parcels prior to:
- ☐ October 23, 2001, the effective date of Chapter 244; **or**
- ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
  - ☐ Tax map proof that the parcels existed on the 2001 tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
  - ☐ Tax map proof has been submitted; **or**
  - ☒ Tax map proof is not required because:
    - ☒ The parcels are the same configuration as the 1980 tax map, with the exception of abandoned streets; **or**
    - ☐ Other: provide explanation

3. (244-2D) ☒ The portion of the subject properties from which development right certificates are requested are purported to have all development rights intact.
- ☒ A deed restriction title search is required for verification; **or**
- ☐ A deed restriction title search has been submitted; **or**
- ☐ A deed restriction title search is not required because: explain

4. (244-2F) ☒ The subject properties are purported to be single and separate parcels, if nonconforming to zoning.
- ☐ A single and separate title certification is required for verification; **or**
- ☐ A single and separate title certification has been submitted; **or**
- ☒ A single and separate title certification is not required because:
  - ☐ The property is surrounded by streets; **or**
  - ☒ In this circumstance, whether the subject non-conforming parcels are single and separate, or not, the development right allocation is not affected

5. (244-3A) ☒ A County Clerk certified copy of the Filed Maps are required and have been submitted for each of the properties ☐; **or**
- ☐ An original, sealed, certified survey of the each of the properties are required and have been submitted ☐

ALLOCATION CRITERIA and CALCULATION:

The properties that are the subject of this Development Right Allocation (DRA) Letter are located in the Old Filed Map Overlay District and in the **Core Preservation Area** of the Central Pine Barrens Overlay District.

Accordingly, the development right allocation may have multiple values, depending on how the Development Right Certificate is redeemed.

The Primary value will be applicable when the Development Right Certificate is redeemed for any purpose other than a zoning credit for development in the Old Filed Map Overlay

District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-J, whereby the development right value is determined by the property acreage multiplied by the respective Development Yield Factor, pursuant to Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(2) and the Central Pine Barren Comprehensive Land Use Plan (CLUP), Section 6.3.1.1, as amended on Nov. 21, 2012.

The Secondary values will be applicable when the Development Right Certificate is redeemed as a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-I, whereby the development right value is determined by the ratio of the square footage of the subject property divided by the minimum lot area requirement for the underlying zoning district, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-53(B) and 330-56(B) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Because the development rights originate in the CR-200 zoning district, if redeemed for Old Filed Map development outside the CR-200, CR-120 or R-120 zoning districts, the value shall be increased by a factor of 2.5, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-56(C) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Accordingly, the respective properties are **preliminarily** determined to be entitled to the development right and site disturbance **allocations indicated in the following table**

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject properties.
   - ☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Conservation Easement).
   - ☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).
2. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
3. ☒ Submission of a Transfer of Development Right - Conservation Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, each to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
4. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

DISCLAIMER: This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.

OLD FILED MAPS - ESTATES OF QUOGUE (owner Charles Parlato) Located in the Core Preservation Area (CR-200 Zone current and in 1995)

SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330-56(B) and 330-56(C); using current CR-200 zoning		Core Preservation Area / OFM Dev. Right Allocation = Gross Ac. X .20, pursuant to 244-2 (J) using 1995, CR-200 zoning pursuant to 330-221 (B)(2) rounded up to nearest .01 in accordance with the Nov. 21, 2012, rounding up and allocation table amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
220-1-40	6/18/1912	521	2	1	1-13; 23, 24	30,000	0.15	0.375	0.14	18,000
220-1-42	6/18/1912	521	2	1	19-20	4,000	0.02	0.050	0.02	3,000
TOTAL						**34,000**	**0.17**	**0.425**	**0.16**	**21,000**

Town of Southampton

DEPARTMENT OF LAND MANAGEMENT
PLANNING DIVISION
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
Fax: (631) 287-5706

ANNA THRONE-HOLST
TOWN SUPERVISOR

KYLE P. COLLINS
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

DAVID A. WILCOX, JR.
DIRECTOR OF TOWN PLANNING /
DEVELOPMENT RIGHT MANAGER

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL) FOR

EAST QUOGUE DEVELOPMENT LLC – OFM / CORE PRESERVATION AREA

Primary Allocation: .89 **Secondary Allocation: .88405**

The properties that are the subject of this Development Right Allocation Letter have **preliminarily** been determined to be ☒ **qualified properties** ☐ non-qualified property for the reasons outlined herein.

Issued by: D A Wilcox Jr. David A. Wilcox, Jr.
Signature

ISSUED: November 8, 2013 **EXPIRES:** November 8, 2016 (2nd 1-year extension)

OWNER: East Quogue Development LLC: as per
☒ 2006 Executor's Deed
☒ Town GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall Weichbrodt

PROPERTY LOC.: No street address

HAMLET: East Quogue

PROPERTY TYPE: Old Filed Map ☒ Filed Map ☐ Described ☐

ZONING: CR-200
The subject properties do not meet the minimum dimensional and area requirements of the CR-200 Zoning District, in which they are located, and are therefore non-conforming properties.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The properties are located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - CPB Core Preservation
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ Sears Bellows Park additions (County CEA) (only those parcels north of NYS-27)
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  - ☒ Core Preservation Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Carver and Plymouth sand; 3-15 percent slope; class 7 non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: vacant woodland

The properties are located in an Old Filed Map, originally consisting of approximately 96 acres of land, in a long narrow rectangular configuration, 430 feet wide by 1.6 miles long, from just north of the Sunrise Highway south to the LIRR. Although this old map is bisected by the Sunrise Highway and there are two paper roads from Old Country Road, crossing the LIRR, there are no physical rail road crossing improvements and there is no access to Sunrise Highway. Effectively the properties are landlocked. Water, electric, telephone and cable services are not readily available to these properties. This long, Old Filed Map corridor is bounded on the east by approximately 72 acres of vacant unprotected woodland and open fallow farmland; on the west by approximately 80 acres of vacant unprotected woodland; and on the north by a 1275 contiguous acres owned by Suffolk County and designated as open space and / or park.

PROPERTY QUALIFICATION CRITERIA: (all five criteria must be checked for the properties to be classified as a qualified for issuance of a Town Development Right Certificate)

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   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.

2. (244-2A) ☒ The subject properties are purported to have been separate tax lot parcels prior to:
   - ☐ October 23, 2001, the effective date of Chapter 244; **or**
   - ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
     - ☐ Tax map proof that the parcels existed on the 2001 tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
     - ☐ Tax map proof has been submitted; **or**
     - ☒ Tax map proof is not required because:
       - ☒ The parcels are the same configuration as the 1980 tax map, with the exception of abandoned streets; **or**
       - ☐ Other: provide explanation

3. (244-2D) ☒ The portion of the subject properties from which development right certificates are requested are purported to have all development rights intact.
   - ☒ A deed restriction title search is required for verification; **or**
   - ☐ A deed restriction title search has been submitted; **or**
   - ☐ A deed restriction title search is not required because: explain

4. (244-2F) ☒ The subject properties are purported to be single and separate parcels, if nonconforming to zoning.
   - ☐ A single and separate title certification is required for verification; **or**
   - ☐ A single and separate title certification has been submitted; **or**
   - ☒ A single and separate title certification is not required because:
     - ☐ The property is surrounded by streets; **or**
     - ☒ In this circumstance, whether the subject non-conforming parcels are single and separate, or not, the development right allocation is not affected

5. (244-3A) ☒ A County Clerk certified copy of the Filed Maps are required and have been submitted for each of the properties ☐; **or**
   - ☐ An original, sealed, certified survey of the each of the properties are required and have been submitted ☐

ALLOCATION CRITERIA and CALCULATION:

The properties that are the subject of this Development Right Allocation (DRA) Letter are located in the Old Filed Map Overlay District and in the **Core Preservation Area** of the Central Pine Barrens Overlay District.

Accordingly, the development right allocation may have multiple values, depending on how the Development Right Certificate is redeemed.

The Primary value will be applicable when the Development Right Certificate is redeemed for any purpose other than a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-J, whereby the development right value is determined by the property acreage multiplied by the respective Development Yield Factor, pursuant to Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(2) and the Central Pine Barren Comprehensive Land Use Plan (CLUP), Section 6.3.1.1, as amended on Nov. 21, 2012.

The Secondary values will be applicable when the Development Right Certificate is redeemed as a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-I, whereby the development right value is determined by the ratio of the square footage of the subject property divided by the minimum lot area requirement for the underlying zoning district, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-53(B) and 330-56(B) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Because the development rights originate in the CR-200 zoning district, if redeemed for Old Filed Map development outside the CR-200, CR-120 or R-120 zoning districts, the value shall be increased by a factor of 2.5, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-56(C) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Accordingly, the respective properties are **preliminarily** determined to be entitled to the development right and site disturbance **allocations indicated in the following table**

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject properties.
   - ☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Conservation Easement).
   - ☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).

2. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
3. ☒ Submission of a Transfer of Development Right - Conservation Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, each to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
4. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

DISCLAIMER: This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.

OLD FILED MAPS - ESTATES OF QUOGUE (owner East Quogue Development LLC) Located in the Core Preservation Area (CR-200 Zone current and in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330-56(B) and 330-56(C); using current CR-200 zoning		Core Preservation Area / OFM Dev. Right Allocation = Gross Ac. X .20, pursuant to 244-2 (J) using 1995, CR-200 zoning pursuant to 330-221 (B)(2) rounded up to nearest .01 in accordance with the Nov. 21, 2012, rounding up and allocation table amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
220-1-10	1/28/1913	545	7	1	15-23	18,000	0.09000	0.225000	0.09	10,800
220-1-11	1/28/1913	545	7	1	12-14	6,000	0.03000	0.075000	0.03	4,500
220-1-14.1	1/28/1913	545	7	1	36-46	22,000	0.11000	0.275000	0.11	13,200
220-1-8	1/28/1913	545	7	2	58-69	24,000	0.12000	0.300000	0.12	14,400
220-1-16	1/28/1913	545	7	2	(81.5' x 220') p/o 82-92	17,930	0.08965	0.224125	0.09	10,758
220-1-110	1/28/1913	545	7	4	p/o 174-179; 184	880	0.00440	0.011000	0.01	660
220-1-18	1/28/1913	545	7	5	220-230	22,000	0.11000	0.275000	0.11	13,200
220-1-102	1/28/1913	545	7	5	196-207	24,000	0.12000	0.300000	0.12	14,400
220-1-31	1/28/1913	545	7	6	247-253	14,000	0.07000	0.175000	0.07	10,500
220-1-33	1/28/1913	545	7	6	242-244	6,000	0.03000	0.075000	0.03	4,500
220-1-35	1/28/1913	545	7	6	266-276	22,000	0.11000	0.275000	0.11	13,200
TOTAL						**176,810**	**0.88405**	**2.210125**	**0.89**	**110,118**

Town of Southampton

DEPARTMENT OF LAND MANAGEMENT
PLANNING DIVISION
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
Fax: (631) 287-5706

ANNA THRONE-HOLST
TOWN SUPERVISOR

KYLE P. COLLINS
TOWN PLANNING AND
DEVELOPMENT ADMINISTRATOR

DAVID A. WILCOX, JR.
DIRECTOR OF TOWN PLANNING /
DEVELOPMENT RIGHT MANAGER

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL)
FOR

SHORELANDS, INC – OFM / COMPATIBLE GROWTH AREA

Primary Allocation: .64 **Secondary Allocation: .58**

The properties that are the subject of this Development Right Allocation Letter have **preliminarily** been determined to be ☒ **qualified properties** ☐ non-qualified property for the reasons outlined herein.

Issued by: _____ David A. Wilcox, Jr.
Signature

ISSUED: November 8, 2013 **EXPIRES:** November 8, 2016 (2nd 1-year extension)

OWNER: Shorelands, Inc: as per
☒ 1984 Quit Claim Deed
☒ Town GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall Weichbrodt

PROPERTY LOC.: No street address
HAMLET: East Quogue

PROPERTY TYPE: Old Filed Map ☒ Filed Map ☐ Described ☐

ZONING: CR-200
The subject properties do not meet the minimum dimensional and area requirements of the CR-200 Zoning District, in which they are located, and are therefore non-conforming properties.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The properties are located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - CPB Critical Resource Area
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ New York State Central Pine Barrens (Town CEA)
  - ☒ Compatible Growth Area
  - ☒ Critical Resource Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Riverhead sandy loam; 0-3 percent slope; class 2 prime
Plymouth loamy sand; 0-3 percent slope; class 3 non prime
Plymouth loamy sand; 3-8 percent slope; class 3 non prime
Carver and Plymouth sand; 0-3 percent slope; class 4 & 7 non prime
Carver and Plymouth sand; 3-15 percent slope; class non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: vacant woodland

The properties are located in an Old Filed Map, originally consisting of approximately 96 acres of land, in a long narrow rectangular configuration, 430 feet wide by 1.6 miles long, from just north of the Sunrise Highway south to the LIRR. Although this old map is bisected by the Sunrise Highway and there are two paper roads from Old Country Road, crossing the LIRR, there are no physical rail road crossing improvements and there is no access to Sunrise Highway. Effectively the properties are landlocked. Water, electric, telephone and cable services are not readily available to these properties. This long, Old Filed Map corridor is bounded on the east by approximately 72 acres of vacant unprotected woodland and open fallow farmland; on the west by approximately 80 acres of vacant unprotected woodland; and on the north by a 1275 contiguous acres owned by Suffolk County and designated as open space and / or park.

PROPERTY QUALIFICATION CRITERIA: (all five criteria must be checked for the properties to be classified as a qualified for issuance of a Town Development Right Certificate)

1. (244-2A) ☒ The subject properties meet at least one or more of the following:
   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.

2. (244-2A) ☒ The subject properties are purported to have been separate tax lot parcels prior to:
   - ☐ October 23, 2001, the effective date of Chapter 244; **or**
   - ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
     - ☐ Tax map proof that the parcel existed on the applicable tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
     - ☐ Tax map proof has been submitted; **or**
     - ☒ Tax map proof is not required because:
       - ☒ The parcel is same configuration as the 1980 tax map, with the exception of abandoned streets; **or**
       - ☐ Other: provide explaination

3. (244-2D) ☒ The portion of the subject properties from which development right certificates are requested are purported to have all development rights intact.
   - ☒ A deed restriction title search is required for verification; **or**
   - ☐ A deed restriction title search has been submitted; **or**
   - ☐ A deed restriction title search is not required because: explain

4. (244-2F) ☒ The subject properties are purported to be single and separate parcels, if nonconforming to zoning.
   - ☐ A single and separate title certification is required for verification; **or**
   - ☐ A single and separate title certification has been submitted; **or**
   - ☒ A single and separate title certification is not required because:
     - ☐ The properties are surrounded by streets; **or**
     - ☒ In this circumstance, whether the subject non-conforming parcels are single and separate, or not, the development right allocation is not affected

5. (244-3A) ☒ A County Clerk certified copy of the Filed Map is required and has been submitted for each of the properties ☐; **or**
   - ☐ An original, sealed, certified survey of the each of the properties are required and have been submitted ☐

ALLOCATION CRITERIA and CALCULATION:

The properties that are the subject of this Development Right Allocation (DRA) Letter are located in the Old Filed Map Overlay District and in the **Compatible Growth Area** of the Central Pine Barrens Overlay District.

Accordingly, the development right allocation may have multiple values, depending on how the Development Right Certificate is redeemed.

The Primary value will be applicable when the Development Right Certificate is redeemed for any purpose other than a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-J, whereby the development right value is determined by the property acreage multiplied by the respective Development Yield Factor, pursuant to Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(2) and the Central Pine Barren Comprehensive Land Use Plan (CLUP), Section 6.3.1.1, as amended on Nov. 21, 2012.

The Secondary values will be applicable when the Development Right Certificate is redeemed as a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-I, whereby the development right value is determined by the ratio of the square footage of the subject property divided by the minimum lot area requirement for the underlying zoning district, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-53(B) and 330-56(B) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Because the development rights originate in the CR-200 zoning district, if redeemed for Old Filed Map development outside the CR-200, CR-120 or R-120 zoning districts, the value shall be increased by a factor of 2.5, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-56(C) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Accordingly, the respective properties are **preliminarily** determined to be entitled to the development right and site disturbance **allocations indicated in the following table**

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject property.
   - ☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Conservation Easement).
   - ☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).

2. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
3. ☒ Submission of a Transfer of Development Right - Conservation Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
4. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

***DISCLAIMER:** This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.*

OLD FILED MAPS - ESTATES OF QUOGUE (owner Shorelands, Inc.) Located in the Compatible Growth Area (CR-200 Zone currently and in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330-56(B) and 330-56(C); using current CR-200 zoning		Compatible Growth Area Dev. Right Allocation = Gross Ac. X .16, pursuant to 244-2 (J) using 1995, CR-200 zoning pursuant to 330-221 (B)(2) and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
220-1-58	6/18/1912	521	2	3	72-73	4,000	0.02	0.050	0.02	3,000
220-1-65	6/18/1912	521	2	4	118-120	6,000	0.03	0.075	0.03	4,500
220-1-67	6/18/1912	521	2	4	97-100	8,000	0.04	0.100	0.03	6,000
251-1-14	7/23/1912	375	3	4	97-98	4,000	0.02	0.050	0.02	3,000
251-1-20	7/23/1912	375	3	5	136	2,000	0.01	0.025	0.01	1,500
251-1-21	7/23/1912	375	3	5	129-133	10,000	0.05	0.125	0.04	7,500
251-1-23	7/23/1912	375	3	5	145-152	16,000	0.08	0.200	0.06	9,600
TOTAL						**50,000**	**0.25**	**0.625**	**0.21**	**35,100**

OLD FILED MAPS - ESTATES OF QUOGUE (owner Shorelands, Inc.) Located in the Compatible Growth Area (CR-200 Zone currently and CR-120 in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330-56(B) and 330-56(C); using current CR-200 zoning		Compatible Growth Area Dev. Right Allocation = Gross Ac. X .27, pursuant to 244-2 (J) using 1995, CR-120 zoning pursuant to 330-221 (B)(2) and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
251-1-40	10/9/1912	321	4	3	81-82, 86-88	10,000	0.05	0.125	0.07	7,500
251-1-41	10/9/1912	321	4	3	83-85	6,000	0.03	0.075	0.04	4,500
251-1-37	10/9/1912	321	4	3	65-72	16,000	0.08	0.200	0.10	9,600
251-1-96	10/9/1912	321	4	2	61	2,000	0.01	0.025	0.02	1,500
289-2-30	12/18/1912	484	5	4	113-120	16,000	0.08	0.200	0.10	9,600
289-2-33	12/18/1912	484	5	4	97-104	16,000	0.08	0.200	0.10	9,600
TOTAL						**66,000**	**0.33**	**0.825**	**0.43**	**42,300**
GRAND TOTAL						**116,000**	**0.58**	**1.450**	**0.64**	**77,400**

Note: Tax Parcels 251-1-40 and 41 are contiguous and will be combined for the purpose of issuing the Development Right Certificate.

Town of Southampton

Department of Land Management
Planning Division
116 Hampton Road
Southampton, NY 11968

Phone: (631) 702-1801
Fax: (631) 287-5706

Anna Throne-Holst
Town Supervisor

Kyle P. Collins
Town Planning And
Development Administrator

David A. Wilcox, Jr.
Director of Town Planning /
Development Right Manager

AMENDED

DEVELOPMENT RIGHT ALLOCATION LETTER (DRAL) FOR

CAROLYN PARLATO – OFM / COMPATIBLE GROWTH AREA

Primary Allocation: 1.9 **Secondary Allocation: 1.87**

The properties that are the subject of this Development Right Allocation Letter have **preliminarily** been determined to be ☒ **qualified properties** ☐ non-qualified property for the reasons outlined herein.

DAWilcox Jr.

Issued by: _____ David A. Wilcox, Jr.
Signature

ISSUED: November 8, 2013 **EXPIRES:** November 8, 2016 (2nd 1-year extension)

OWNER: Carolyn Parlato: as per
☒ 1983 Executor's Deed
☒ Town GIS Information

APPLICANT IF DIFFERENT OWNER: same

CONTACT: Randall Weichbrodt

PROPERTY LOC.: No street address
HAMLET: East Quogue

PROPERTY TYPE: Old Filed Map ☒ Filed Map ☐ Described ☐

ZONING: CR-200
The subject properties do not meet the minimum dimensional and area requirements of the CR-200 Zoning District, in which they are located, and are therefore non-conforming properties.

SCHOOL DISTRICT: East Quogue School District

OVERLAY DISTRICTS, CRITICAL ENVIRONMENTAL AREAS (CEA's) AND OTHER PLANNING AREAS:

The properties are located in the following areas which demonstrate the importance for protection:

- ☒ Town Community Preservation Fund Priority - CPB Critical Resource Area
- ☒ Town Aquifer Protection Overlay District (Town CEA)
- ☒ Suffolk County Sanitary Code, Article 6 – Groundwater Management Zone III, V or VI
- ☒ Central Suffolk County Special Groundwater Protection Area (County CEA)
- ☒ New York State Central Pine Barrens (Town CEA)
  - ☒ Compatible Growth Area
  - ☒ Critical Resource Area
- ☒ NYS Natural Heritage Area Potential
- ☒ NYS Natural Heritage Area Species

SITE DESCRIPTION, SURROUNDING AREA and GENERAL FINDINGS:

NATURAL COMMUNITIES: Pitch Pine – Oak Forest

SOIL TYPES: Riverhead sandy loam; 0-3 percent slope; class 2 prime
Plymouth loamy sand; 0-3 percent slope; class 3 non prime
Plymouth loamy sand; 3-8 percent slope; class 3 non prime
Carver and Plymouth sand; 0-3 percent slope; class 4 & 7 non prime
Carver and Plymouth sand; 3-15 percent slope; class non prime
Carver and Plymouth sand; 15-35 percent slope; class 7 non prime

CURRENT USE: vacant woodland

The properties are located in an Old Filed Map, originally consisting of approximately 96 acres of land, in a long narrow rectangular configuration, 430 feet wide by 1.6 miles long, from just north of the Sunrise Highway south to the LIRR. Although this old map is bisected by the Sunrise Highway and there are two paper roads from Old Country Road, crossing the LIRR, there are no physical rail road crossing improvements and there is no access to Sunrise Highway. Effectively the properties are landlocked. Water, electric, telephone and cable services are not readily available to these properties. This long, Old Filed Map corridor is bounded on the east by approximately 72 acres of vacant unprotected woodland and open fallow farmland; on the west by approximately 80 acres of vacant unprotected woodland; and on the north by a 1275 contiguous acres owned by Suffolk County and designated as open space and / or park.

PROPERTY QUALIFICATION CRITERIA: (all five criteria must be checked for the properties to be classified as a qualified for issuance of a Town Development Right Certificate)

1. (244-2A) ☒ The subject properties meet at least one or more of the following:
   - ☐ *"a specific sending site pursuant to municipal regulations"* ***or***
   - ☒ *"listed as a parcel to be protected in the Town's CPF Project Plan"* ***or***
   - ☒ *"possesses natural, scenic, and / or agricultural qualities of open land, areas of special character or special historic, cultural or aesthetic interest or value"* as demonstrated by its location in various environmentally sensitive overlay districts, zoning districts and planning areas.
2. (244-2A) ☒ The subject properties are purported to have been separate tax lot parcels prior to:
   - ☐ October 23, 2001, the effective date of Chapter 244; **or**
   - ☒ September 26, 1995, the effective date of the CPBOD; if located in the Central Pine Barrens Overlay District.
     - ☐ Tax map proof that the parcel existed on the 2001 tax map is required for verification, NOT TO BE CONFUSED WITH the need for a single and separate search which may also be required; **or**
     - ☐ Tax map proof has been submitted; **or**
     - ☒ Tax map proof is not required because:
       - ☒ The parcel is same configuration as the 1980 tax map, with the exception of abandoned streets; **or**
       - ☐ Other: provide explaination
3. (244-2D) ☒ The portion of the subject properties from which development right certificate are requested are purported to have all development rights intact.
   - ☒ A deed restriction title search is required for verification; **or**
   - ☐ A deed restriction title search has been submitted; **or**
   - ☐ A deed restriction title search is not required because: explain
4. (244-2F) ☒ The subject properties are purported to be single and separate parcels, if nonconforming to zoning.
   - ☐ A single and separate title certification is required for verification; **or**
   - ☐ A single and separate title certification has been submitted; **or**
   - ☒ A single and separate title certification is not required because:
     - ☐ The properties are surrounded by streets; **or**
     - ☒ In this circumstance, whether the subject non-conforming parcels are single and separate, or not, the development right allocation is not affected
5. (244-3A) ☒ A County Clerk certified copy of the Filed Map is required and has

been submitted for each of the properties ☐; **or**

☐ An original, sealed, certified survey of the each of the properties are required and have been submitted ☐

ALLOCATION CRITERIA and CALCULATION:

The properties that are the subject of this Development Right Allocation (DRA) Letter are located in the Old Filed Map Overlay District and in the **Compatible Growth Area** of the Central Pine Barrens Overlay District.

Accordingly, the development right allocation may have multiple values, depending on how the Development Right Certificate is redeemed.

The Primary value will be applicable when the Development Right Certificate is redeemed for any purpose other than a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-J, whereby the development right value is determined by the property acreage multiplied by the respective Development Yield Factor, pursuant to Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(2) and the Central Pine Barren Comprehensive Land Use Plan (CLUP), Section 6.3.1.1, as amended on Nov. 21, 2012.

The Secondary values will be applicable when the Development Right Certificate is redeemed as a zoning credit for development in the Old Filed Map Overlay District, allocated pursuant to Town Code – Transfer of Development Rights - Section 244-2-I, whereby the development right value is determined by the ratio of the square footage of the subject property divided by the minimum lot area requirement for the underlying zoning district, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-53(B) and 330-56(B) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Because the development rights originate in the CR-200 zoning district, if redeemed for Old Filed Map development outside the CR-200, CR-120 or R-120 zoning districts, the value shall be increased by a factor of 2.5, pursuant to Town Code – Article XI – Old Filed Map Overlay District - Section 330-56(C) and Town Code - Article XXIV- Central Pine Barrens Overlay District - Section 330-221(B)(4).

Accordingly, the respective properties are **preliminarily** determined to be entitled to the development right and site disturbance **allocations indicated in the following table**

CONDITIONS FOR A DEVELOPMENT RIGHT APPLICATION

The issuance of a Development Right Certificate in accordance with this Development Right Allocation Letter is subject to provisions of Chapter 244-4 of the Town Code and the submission of the following checked materials together with an Application for Issuance of a Development Right Certificate:

1. ☒ Up to Date, Title Certification indicating whether or not there are any liens or mortgages on the subject property.

☒ Mortgage or Lien Consent (if title certification reveals existence of lien or mortgage and subject property will be encumbered with a Conservation Easement).

☒ Mortgage or Lien Release (if title certification reveals existence of lien or mortgage and subject property will be deeded to the Town or other qualified entity).

2. ☒ Up to Date, Deed Restriction Search (may be part of the Title Certification) certifying that the subject property is not encumbered with any covenants, easements, liens, etc. that may have already effectively removed all or a portion of the development rights.
3. ☒ Submission of a Transfer of Development Right - Conservation Easement **OR** a Deed of Dedication to the Town of Southampton for the subject property from which the development rights will be lifted, to be accepted by the Town Board and recorded with the County Clerk prior to the issuance of a Development Right Certificate.
4. ☒ Any and all other documents which may subsequently be required by the Town Attorney's Office.

EXPIRATION OF ALLOCATION LETTER:

244-3(D) *"The development right allocation letter shall expire after one (1) year but may be renewed for an additional year if an application is made to the Administrator of the Department of Land Management or designee and there have been no changes in circumstances."*

Should you have any questions please do not hesitate to contact the David A. Wilcox, Jr., Director of Town Planning / Development Right Manager, at the Department of Land Management, 702-1801, or DWilcox@SouthamptonTownNY.gov

DISCLAIMER: This letter is not a legal document, and does not guarantee the landowner or any other party the number of development rights stated herein, or any other specific number of development rights. This communication serves only as an interpretation and estimate and is not binding on the Town of Southampton, its staff, consultants, or other associated parties. Additional legal documents must be submitted to the Town of Southampton including but not limited to a certified survey, title report, and mortgage consent before Development Right Certificates can be issued on any real property.

OLD FILED MAPS - ESTATES OF QUOGUE (owner Carolyn Parlato) Located in the Compatible Growth Area (CR-200 Zone currently and in 1995)										
SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330- 56(B) and 330-56(C); using current CR-200 zoning		**A** Compatible Growth Area Dev. Right Allocation = Gross Ac. X .16, pursuant to 244-2 (J) using 1995, CR-200 zoning pursuant to 330-221 (B)(2) and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							B if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	**C** If redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
220-1-70	6/18/1912	521	2	5	140-151	24,000	0.1200	0.300	0.09	14,400
220-1-103	6/18/1912	521	2	5	137-160	28,000	0.1400	0.350	0.11	16,800
220-1-75	6/18/1912	521	2	5	161-168	16,000	0.0800	0.200	0.06	9,600
220-1-73	6/18/1912	521	2	5	177-184	16,000	0.0800	0.200	0.06	9,600
220-1-78	7/23/1912	375	3	1	1-7	14,000	0.0700	0.175	0.06	8,400
220-1-80	7/23/1912	375	3	1	17-24	16,000	0.0800	0.200	0.06	9,600
220-1-82	7/23/1912	375	3	2	36-40	10,000	0.0500	0.125	0.04	6,000
220-1-86	7/23/1912	375	3	2	49-54	12,000	0.0600	0.150	0.05	7,200
251-1-5	7/23/1912	375	3	3	65-72	16,000	0.0800	0.200	0.06	9,600
251-1-10	7/23/1912	375	3	3	81-82	4,000	0.0200	0.050	0.02	2,400
251-1-7	7/23/1912	375	3	3	88-91	8,000	0.0400	0.100	0.03	4,800
251-1-8	7/23/1912	375	3	3	94-96	6,000	0.0300	0.075	0.03	3,600
251-1-13	7/23/1912	375	3	4	99-104	12,000	0.0600	0.150	0.05	7,200
251-1-16	7/23/1912	375	3	4	113-120	16,000	0.0800	0.200	0.06	9,600
TOTAL						**198,000**	**0.99**	**2.475**	**0.78**	**118,800**

Note: Tax Parcels 251-1-5, 7, 8 are contiguous and will be combined for the purpose of issuing the Development Right Certificates.

OLD FILED MAPS - ESTATES OF QUOGUE (owner Carolyn Parlato) Located in the Compatible Growth Area (CR-200 Zone currently and CR-120 in 1995)

SCTM: 0900	Date Filed	Map File	Sect.	Blk.	Lots	Area in S.F.	Old Filed Map Dev. Right Allocation = S.F. / 200,000, pursuant to 244-2(I); 330-53(B); 330- 56(B) and 330-56(C); using current CR-200 zoning		Compatible Growth Area Dev. Right Allocation = Gross Ac. X .27, pursuant to 244-2 (J) using 1995, CR-120 zoning pursuant to 330-221 (B)(2) and rounded up to nearest .01 in accordance with the Nov. 21, 2012 amendments to CLUP - Chap. 6.3.1.1	Site Disturbance Allocation = SF x .5, .6 or .75, depending on the size of the lot pursuant to 330-67(A)(4)(a)
							if redeemed for OFM Dev. Parcel in CR-200 or R/CR-120 pursuant to 330-56(B) and 330-221(B)(4)	if redeemed for OFM Dev. Parcel out of CR-200 or R/CR-120 pursuant to 330-56(C) and 330-221(B)(4)		
251-1-34	10/9/1912	321	4	2	49-56	16,000	0.0800	0.200	0.10	9,600
251-1-48	10/9/1912	321	4	5	129-131, 134-136	12,000	0.0600	0.150	0.08	7,200
251-1-52	10/9/1912	321	4	5	145-152	16,000	0.0800	0.200	0.10	9,600
251-1-54	10/9/1912	321	4	6	166-168	6,000	0.0300	0.075	0.04	3,600
251-1-58	10/9/1912	321	4	6	177-184	16,000	0.0800	0.200	0.10	9,600
251-1-63	12/28/1912	484	5	1	17-24	16,000	0.0800	0.200	0.10	9,600
251-1-67	12/28/1912	484	5	2	33-37	10,000	0.0500	0.125	0.07	6,000
251-1-69	12/28/1912	484	5	2	49-56	16,000	0.0800	0.200	0.10	9,600
289-2-35	12/28/1912	484	5	3	81-88	16,000	0.0800	0.200	0.10	9,600
289-2-37	12/28/1912	484	5	3	65-72	16,000	0.0800	0.200	0.10	9,600
289-2-25	1/28/1913	545	6	1	17-24	16,000	0.0800	0.200	0.10	9,600
289-2-23	1/28/1913	545	6	2	49-56	4,000	0.0200	0.050	0.03	2,400
289-2-19	1/28/1913	545	6	2	39-40	16,000	0.0800	0.200	0.10	9,600
TOTAL						**176,000**	**0.88**	**2.2**	**1.12**	**105,600**

GRAND TOTAL					**374,000**	**1.87**	**4.675**	**1.9**	**224,400**