

# Newsday

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OPINION

## Covering over the piggy bank slot

■ Brookhaven voters' 'no' to new taxes for open land should spur broad review; eminent domain's out of control

BY DESMOND RYAN

The biggest seismic shock wave that went through Long Island this Election Day came from Brookhaven Town, and it is destined to ripple throughout the region for a long time to come.

Simply put, the voters closed the piggy bank.

A new tax described as a Community Preservation Fund was soundly defeated by voters who recognized it for what it was: another means to get into their wallets.

It called for a 2 percent tax on all property sales to fund the acquisition of private property by local government. Described by proponents as a means to "protect open space," it would have been an unrestricted source of new tax revenue at a time when many taxpayers are heading for the exits. Residents went to the polls and said, "Enough" — with some 61 percent of voters making their voices heard.

The transfer tax would have been used to fund an expanded program of property acquisition, mirroring the leap in emi-

nent domain — the current zoning policy of choice among municipalities unable or unwilling to exercise rational, progressive land-use leadership.

While the preservation of open space is laudable, the use of tools like eminent domain as political cover is designed to avoid making decisions in the event that anyone offers even a heartbeat of opposition. This land-use paralysis has consistently set the stage for a cycle of property-tax increases that cripples home ownership, sparks a devaluation of residential properties and contributes to the weakening of the region's economy.

The issue, however, is far larger than property acquisition with taxpayers' money. It's the significant, harmful and largely hidden economic impact to us all. There is a collective economic impact, whether the land is purchased through a surcharge, a transfer tax or a bond issue.

It starts when a municipality pays the sizable legal costs to acquire and maintain private land, continues with the loss of property taxes that had been generated by the property and with debt service on bonds similar to the \$30 million in new debt Oyster Bay Town residents approved on Tuesday, and culminates in the loss of jobs from the permanent removal of commercial property and the sullen retreat from rein-

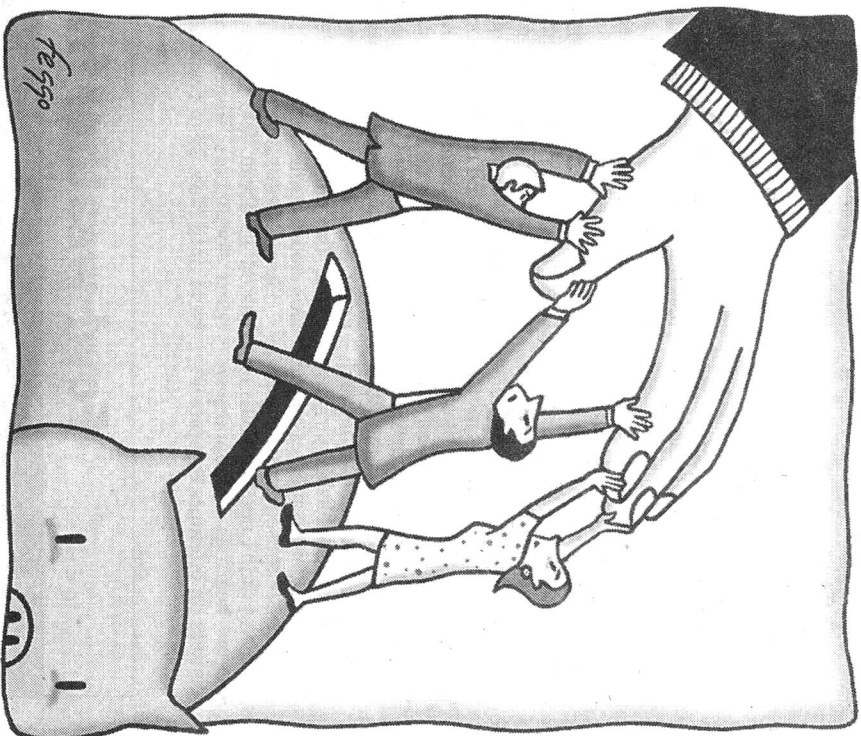


ILLUSTRATION BY FELIPE GALINDO

venting obsolete industrial property to create new growth.

The spasm to acquire open space with tax dollars has finally been broken in Brookhaven. The defeat of the tax measure should force a far broader strategic review of what happens as more and more land is purchased with tax dollars, prompting the question, whose vision and at what cost?

nent domain and similar takings would mirror the environmental impact reports required for staged development. Such a document would finally put the true loss of private land before those asked to shoulder the burden.

Once considered a draconian measure only undertaken as part of a grand strategic vision for public projects, the taking of private land is now out of control. It's dispensed with the ease of political patronage and for the same purpose — to curry favor with special interest groups. It uses taxpayers' money with the ease of a spendthrift who has stolen an ATM card.

When the open-space advocate is confronted with an angry electorate, he claims "special interests" have blinded them. It's the excuse of one who doesn't wish to see that the real special interests, Long Island's property owners, have reached their limit on Long Island.

At long last, presented with an option to stop the economic hemorrhaging, the voters have done so. And elected officials who refuse to understand what happened in Brookhaven Town do so at the risk of their political future.



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