

TOWN OF MIDDLETOWN - RESOLUTION #25 OF 2021

A RESOLUTION ADOPTING A NEGATIVE DECLARATION UNDER SEQRA

At a regular meeting of the Town Board of the Town of Middletown, held on September 8, 2021 at the Town Hall, 42339 State Highway 28, Margaretville, New York, the following resolution was offered by Brian Sweeney and seconded by Julia Reischel:

WHEREAS, in compliance with the State Environmental Quality Review Act and its implementing regulations (“SEQRA”), Town Board of the Town of Middletown, as Lead Agency, has considered the Full Environmental Assessment Form (“FEAF”) in connection with the proposed amendment to Section 202 of the Town of Middletown Zoning Ordinance (definition of the term “Resort”); and

WHEREAS, The Town Board has determined the proposed Zoning Ordinance amendment to be a Type I Action under SEQRA; and

WHEREAS, on September 8, 2021 the Town Board conducted duly noticed public hearing to consider the Zoning Ordinance amendment; and

WHEREAS, The Town Board has considered Part 1 of the FEAF, which includes a number of additional environmental reports and analyses, all concluding that there would be negligible or no potential environmental impacts caused by the proposed Zoning Ordinance amendment; and

WHEREAS, the Town Board has considered the proposed Part 2 of the FEAF within which all potential environmental impacts were further determined to be small or none; and

WHEREAS, pursuant to the Regulations (6 NYCRR Part 617), the Town Board considered the significance of the potential environmental impacts that may be reasonably expected to result from the proposed Project by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with other attached supporting information, to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the areas of relevant environmental concern; and

WHEREAS, the Town Board has considered and thoroughly evaluated the proposed action and carefully reviewed all relevant materials in the completed Parts 1, 2 and 3 of the FEAF, which, taken together, provide a detailed “hard look” examination and analysis of the potential environmental impacts of the proposed action, and an evaluation of the magnitude and importance of project impacts, and determination of significance; and

WHEREAS, the Town Board addressed all relevant SEQRA issues as identified in conducting the environmental review and in so doing has determined that the proposed action will not have a significant adverse environmental impact, and will not require the preparation of a Draft

Environmental Impact Statement with respect to the proposed action, and hereby makes a determination of non-significance under SEQRA (“Negative Declaration”).

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Middletown, based on Parts 1, 2 and 3 of the FEAF and the supporting documentation attached thereto, finds and determines that no potential significant adverse environmental impacts from the proposed action will occur, and hereby issues a Negative Declaration pursuant to SEQRA and a Draft Environmental Impact Statement need not be prepared; and be it further

RESOLVED, that the Town Board and incorporates by reference herein Parts 1, 2 and 3 of the FEAF associated with the proposed Zoning Ordinance amendment and the supplemental studies, reports and documentation attached thereto; and be it further

RESOLVED, that this Resolution will take effect immediately.

CERTIFICATION

I, Patricia F. Kelly, do hereby certify that I am the Town Clerk of the Town of Middletown and that the foregoing constitutes a true, correct and complete copy of a resolution duly adopted by the Town Board of the Town of Middletown at a meeting thereof held on September 8, 2021 at the Town Hall, 42339 State Highway 28, Margaretville, New York. Said resolution was adopted by the following roll call vote:

Carl Patrick Davis, Supervisor	voted: <u>Aye</u>
Brian Sweeney	voted: <u>Aye</u>
Nelson Delameter	voted: <u>Aye</u>
Julia Reischel	voted: <u>Aye</u>

Councilman Christopher Dabritz was not in attendance.

Dated: September 8, 2021

Town of Middletown



Patricia F. Kelly, Town Clerk

SEAL

