

<p style="text-align: center;">TOWN OF WALLKILL PLANNING BOARD RESOLUTION GRANTING ONE YEAR EXTENSION OF CONDITIONAL FINAL SUP / SP APPROVAL</p>	<p style="text-align: right;">Golden Triangle Town File No 2020-034 Tax S-B-L: 40-1-16 This is your 1st Extension</p>
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WHEREAS, an application was previously made to the Town of Wallkill Planning Board by **Golden Triangle / Golden Triangle Equities LLC** (“Applicant”) for approval of a special use permit and site plan approval to construct a building and use the premises as a warehouse / distribution center, which is a use permitted with the zoning district where the premises are situated, subject to obtaining a special use permit and site plan approval from the Planning Board; and

WHEREAS, said application was duly reviewed by the Planning Board in accordance with the requirements of §249-39 & 40 of the Town Code; and

WHEREAS, a Negative Declaration was previously granted by the Planning Board on July 7, 2021; and,

WHEREAS, the Applicant has not satisfied the conditions of the conditional use and conditional site plan approvals; and

WHEREAS, the Applicant has not heretofore been granted an extensions of the conditional final Special Use Permit and Site Plan Approvals by the Planning Board; and

WHEREAS, the Applicant is desirous of not having said approvals lapse, and the Site Plan appears to be in compliance with the existing provisions of the Town Code that are applicable to the proposed use and development of the Site; and

WHEREAS, there has been no change in circumstance relative to the factors considered by the Planning Board when it adopted on July 7, 2021 a Part 3 of an EFA and issued a negative declaration relative to this project; and

WHEREAS, the development of the project referenced in the negative declaration continues to be subject to all mitigation measures referenced therein; and

WHEREAS, the within matter having received a negative declaration prior to the enactment of the moratorium by the Town Board on warehouse applications, it is exempt from the moratorium as to the Planning Board acting to extend the approvals previously granted; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Wallkill Planning Board finds:

1. That it has no reason to doubt that the Applicant has heretofore acted in good faith and with due diligence with respect to satisfying the conditions of said Site Plan Approval.
2. There is presently no basis to revoke said approvals.
3. That pursuant to Sub-Part D of Section 249-40 [10] [c] of the Town Code, the Planning Board hereby extends for an additional period of one year the aforementioned conditional site plan approval previously granted as aforesaid, which extension is subject to all terms and conditions stated in the original approval.
4. Pursuant to sub-part F of §249-38 of the Town Code, the Planning Board hereby extends for an additional period of one year the aforementioned conditional special use and site plan approval previously granted to the Applicant as aforesaid, which extension is subject to all terms and conditions stated in the original approval.
5. The within extension does not relieve the Applicant from securing any other permits and/or approvals that may be necessary to develop its lands in accordance with the Site Plan and/or approvals previously granted.
6. The within extension does not vest any rights against changes in the rules, regulations, laws and/or local codes that are applicable to the subdivision of the Applicant's lands, and the Applicant does not acquire any grandfathered rights by reason of this extension.
7. Nothing contained herein shall relieve the Applicant of any conditions of any prior approval of the Planning Board.
8. That as a condition of any further extensions of said approval, all fees due the Town of Wallkill, including any fees due its consultants, such as the Town Engineer and/or the Town Attorney, be paid in full within sixty days of the date hereof.

9. This extension expires one year from January 18, 2022, unless a request for an extension is made to the Planning Board before that date, and, in which event, the approval shall continue until further action by the Planning Board, which action may be not to extend the approval(s) any further.

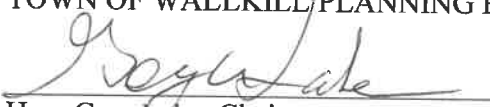
NOW, THEREFORE, BE IT RESOLVED

On a motion by A. Guattery, seconded by T. Hamilton, and carried by a vote of 6 Ayes, 0 Nays, that the Town of Wallkill Planning Board grants a one-year extension of said Site Plan Approval and Special Use Permit Approval, subject to the terms and conditions stated herein.

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Dated: January 18, 2023

TOWN OF WALLKILL PLANNING BOARD


Hon. Gary Lake, Chairman

The original of this resolution was filed with the Town Clerk on January 24, 2023
A copy of this resolution was filed with the Town Building Dept. January 24, 2023
A copy of this resolution was mailed to the applicant on January 24, 2023