



**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

The following was presented  
 By: \_\_\_\_\_  
 Sec'd by: \_\_\_\_\_  
 Date of Adoption: \_\_\_\_\_

Names	Ayes	Noes	Abstain	Absent
<i>Councilman</i> <b>Mr. Coyne</b>				
<i>Councilman</i> <b>Mr. Valentin</b>				
<i>Councilman</i> <b>Mr. Meyer</b>				
<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. DenDanto III</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WALLKILL  
ADOPTING LOCAL LAW NO. 6 OF 2018 AMENDING THE TOWN’S ZONING MAP  
AND ISSUING A NEGATIVE DECLARATION AND FINDINGS IN ACCORDANCE  
WITH SEQRA**

**WHEREAS**, upon the petition of Orange Development, LLC dated October 10, 2018, and upon the recommendation of the Town Planning Board, the Town Board of the Town of Wallkill wishes to adopt a local law for 2018 amending Chapter 249 of the Town Code, to rezone a certain parcels of real property within the Town as set forth below from Residential Floating Zone (R-AH) to Light Enterprise District (Ent-L):

<u>Address:</u>	<u>Tax Map ID #</u>
NYS Route 211 E	44-1-25.12; and

**WHEREAS**, in accordance with the provisions of § 617.6 of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), (the “SEQRA regulations”), the Town Board previously determined that the aforementioned proposed amendment to the Town Code is an action subject to SEQRA; classified the aforementioned local law as an unlisted action pursuant to § 617.4 of the SEQRA regulations and designated itself as Lead Agency with respect to the consideration, review, and determination of significance of the aforementioned local law pursuant to SEQRA regulations § 617.6(b)(1)(I); and

**WHEREAS**, the Town Board has referred this proposed zoning map change to the Orange County Department of Planning for review and comment pursuant to General Municipal §239-m and has received a letter from the Orange County Department of Planning indicating that the proposed zoning change is a local determination; and

Resolution No. : \_\_\_ of 2021

**WHEREAS**, the Town Board has referred this proposed zoning map change to the Town of Wallkill Planning Board in accordance with the Town Code and no objections were received from the Planning Board, which held a public information hearing and issued a report to the Town Board supporting the petition; and

**WHEREAS**, the Town Board held a public hearing on November 15, 2018, to review the proposed local law for the year 2018; and

**WHEREAS**, the Town Board previously reviewed the EAF submitted by the petitioner and determined that same was adequate with respect to scope and content for the purpose of commencing public review and continued its environmental review pursuant to SEQRA; and

**WHEREAS**, the Town Board has reviewed the EAF, the record of the proceedings with respect to the public hearing on proposed local law and EAF, and the criteria for determining significance set forth section 617.7 (c)(1)(i)-(xii), (2)(i)-(iii), and (3)(i)-(vii) of the SEQRA regulations; and

**WHEREAS**, the Town Board has reviewed, weighed and balanced the relevant environmental impacts and has provided a rationale for its decision to adopt the proposed local law and to issue a negative declaration for the same, solely for the zoning change and not for any proposed project to be built at the effected property, which is subject to further review by the Town Planning Board; and

**WHEREAS**, the Local Law was previously adopted by Resolution of the Town Board on December 20, 2018 but was not filed in the Office of the New York Secretary of State, which is why said Local Law is being reconsidered at this time.

**NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:**

1. The Town Board hereby certifies that it has complied with the requirements of Part 617 of the SEQRA regulations;
2. The Town Board hereby finds that the proposed local law has no significant adverse environmental impacts and issues a negative declaration for the same, with said negative declaration to be reviewed and approved by the Town Attorney; and

Resolution No. : \_\_\_ of 2021

3. The Town Board hereby adopts Local Law No. 6 of 2018, which modifies Chapter 249 of the Town Code as set forth in the proposed local law, to designate the following properties:

Address:

Tax Map ID #

NYS Route 211 E

44-1-25.12

within the Town as being in the Light Enterprise zone, a copy of which is attached hereto and made a part of this resolution; and

4. The Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Wallkill; to give due notice of the adoption of said Local Law to the Secretary of State of New York; to publish said Local Law to the public in a newspaper of general circulation; and to publish the Town Board's negative declaration for the proposed action in the Environmental Notice Bulletin of the Department of Environmental Conservation.

**THE TOWN OF WALLKILL  
TOWN BOARD**

**ROLL CALL VOTE**

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<i>Councilman</i> <b>Mr. Johnson</b>				
<i>Supervisor</i> <b>Mr. DenDanto III</b>				
<b>TOTAL</b>				

**RESOLUTION OF THE WALLKILL TOWN BOARD ADOPTING LOCAL LAW NO. 5  
OF 2018 TO OPT OUT OF GRANTING REAL PROPERTY TAX EXEMPTIONS FOR  
SOLAR AND WIND ENERGY SYSTEMS**

**WHEREAS**, the Town Board of the Town of Wallkill wishes to enact a Local Law to opt out of solar and wind energy real property tax exemptions pursuant to Municipal Home Rule Law and in accordance with Section 487-8 of the Real Property Tax Law;

**WHEREAS**, this action is not an action subject to review under the State Environmental Quality Review Act (“SEQRA”) pursuant to Part 617.5(c)(16) and (27) of the regulations implementing SEQRA;

**WHEREAS**, a public hearing was held on December 20, 2018 to assist in the Town’s consideration of the adoption of said Local Law and the public hearing was closed that same night; and

**WHEREAS**, the Town Board has considered the matters that were discussed at the public hearing; and

**WHEREAS**, the Town Board of the Town of Wallkill has determined that the adoption of the aforesaid Local Law is in the best interest of the residents of the Town; and

**WHEREAS**, the Local Law was previously adopted by Resolution of the Town Board on December 20, 2018 but was not filed in the Office of the New York Secretary of State, which is why said Local Law is being reconsidered at this time.

Resolution No. : \_\_\_ of 2021

**NOW, THEREFORE, BE IT HEREBY**

**RESOLVED**, that the Town Board of the Town of Wallkill hereby adopts said Local Law No. 5 of 2018, entitled “**A LOCAL LAW PERMITTING THE TOWN OF WALLKILL TO OPT-OUT OF THE REAL PROPERTY TAX EXEMPTION FOR QUALIFYING ENERGY SYSTEM INSTALLATIONS**”, a copy of which is attached hereto and made a part of this resolution; and be it further

**RESOLVED**, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Wallkill and to give due notice of the adoption of said Local Law to the Secretary of State of New York and all other appropriate governmental agencies.

**BY ORDER OF THE TOWN BOARD OF THE  
TOWN OF WALLKILL, NEW YORK.**

Dated: February 10, 2021

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Louisa M. Ingrassia, Town Clerk