

A special meeting of the Town Board of the Town of Wallkill was held on Thursday August 17,2006 at 99 Tower Drive Middletown NY at 7:30 pm.

Present were Supervisor Ward,Councilmen King,Valentin,Mulqueen and McCarey.Also present attorneys Joe McKay and Richard Guertin

Motion By: Mr.Ward to enter executive session to discuss litigation regarding the annexation petition.

Seconded By: Mr. King

All Aye

Motion By: Mr.Ward to close executive session

Seconded By: Mr.King

All Aye

**TOWN OF WALLKILL TOWN BOARD STATE ENVIRONMENTAL QUALITY REVIEW ACT
RESOLUTION OF NOTICE TO BECOME CO-LEAD AGENCY**

WHEREAS, the Town Board of the Town of Wallkill previously resolved and intended to designate itself as the co-lead agency, with the City of Middletown, with respect to the Annexation Petition by Mount Hope Development Corp and Montrose VA Project, LLC; and

WHEREAS, the Lead Agency Coordination Request form was sent to all agencies having jurisdiction over the said project thirty (30) days ago; and

WHEREAS, no agency has objected to the Town Board of the Town of Wallkill becoming co-lead agency for this project.

NOW THEREFORE, be it hereby

RESOLVED, that the Town Board of the Town of Wallkill declares itself as the co-lead agency, with the City of Middletown. Copies of this resolution will be sent to all agencies having jurisdiction over this project.

14-12-8(3/99)-9c

SEQR

**STATE ENVIRONMENTAL QUALITY REVIEW
POSITIVE DECLARATION
NOTICE OF INTENT TO PREPARE A DRAFT EIS
DETERMINATION OF SIGNIFICANCE**

Project: Annexation Petition by Mt. Hope Development Corp. and Montrose VA Project, LLC

Date: August 17, 2006

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Wallkill (“the Town Board”), as Co-lead Agency with the City of Middletown, has determined that the proposed action described below may have a significant impact on

the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action: Annexation Petition by Mt. Hope Development Corp. and Montrose VA Project, LLC

SEQR Status:	Type I	Yes
	Type II	N/A
	Unlisted	N/A

Scoping:	No	Yes
----------	----	-----

Description of Action: The proposed Annexation of Territory (the “Action”) into the City Of Middletown would involve the following components:

Petitioners’ have proposed a rezoning of the Territory or parts thereof from the Town of Wallkill zoning or the City of Middletown zoning, depending upon the outcome of their petition, and the extension of municipal water and sewer service to the Territory which is not currently available from the Town of Wallkill, in order to develop a minimum of three hundred (300) residential dwelling units if the Territory remains in the Town of Wallkill, or to develop several times that number of residential units pursuant to an anticipated zoning change to UR-3, if the Territory is annexed into the City of Middletown. The Territory to be annexed and developed consists of +/- 145 acres of vacant land. The property is located within the R1 and R2 zones under the Town of Wallkill Zoning Code.

Location: The project site is located on +/- 145 acres of vacant land located on both sides of County Highway 78, and west of Mt. Hope Road in the Town of Wallkill, Orange County, New York, designated as Town of Wallkill Tax Map Section 69, Block 1, Lots 64.2, 64.3, and 70 and a portion of Section 69, Block 1, Lot 69.

Reasons Supporting This Determination:

On April 27, 2006, the Town Board declared its intention to act as SEQRA Co-Lead Agency with the City of Middletown. The City of Middletown passed a separate resolution agreeing to co-lead agency status with the Town of Wallkill. On or about June 19, 2006, the Town of Wallkill served a Lead Agency Coordination Request on all interested agencies providing them with thirty (30) days notice to file any objections to the notice. No Involved Agency has filed any objection.

After considering the action and reviewing the Environmental Assessment Form prepared by the Applicant and the criteria for determining significance in the SEQR regulations (6 NYCRR §617.7[c]), the Town Board believes that at least some components may have a significant impact on the environment—namely potential impacts to topography, water resources, sanitary systems and waste disposal, air quality, noise, traffic, school resources, fire district resources and other factors.

Motion By:	Mr. Ward
Seconded By:	Mr. King

Supervisor Ward	Voting Aye
Councilman King	Voting Aye
Councilman Valentin	Voting Aye
Councilman Mulqueen	Voting Aye
Councilman McCarey	Voting Aye

Motion Carried

For Further Information:

Wallkill Supervisor John Ward

**Address: Town of Wallkill Town Board
111 Tower Drive
Middletown, New York 10940**

Telephone Number: (845) 692-7800

A copy of this Notice must be sent to:

**Department of Environmental Conservation, Albany, New York 12233-1750
Town of Wallkill Planning Board**

**Orange County Health Department
Orange County Planning Department
Orange County Department of Public Works
Town of Wallkill Zoning Board of Appeals
Marlinda Duncanson, Mayor, City of Middletown
Environmental Notice Bulletin
Any person requesting a copy
The Applicant**

A Copy of this Notice is filed with:

**Town Clerk of the Town of Wallkill
111 Tower Drive
Middletown, NY 10940
(845)692-7800**

Distribution:

**Involved Agencies:
Commissioner, NYSDEC
NYSDEC, Region 3
Orange County Department of Health
Orange County Department of Public Works**

Interested Agencies:

Orange County Department of Planning

Notice Publication:

**Environmental Notice Bulletin
Times Herald Record**

