

**RESOLUTION ADOPTING A NEGATIVE DECLARATION
FOR A SITE PLAN AMENDMENT APPLICATION**

*Cimorelli's Econo Collision Center Addition
PB # 08-12*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a site plan amendment by John Cimorelli (the "applicant") for a project described as the "Cimorelli's Econo Collision Center Site Plan Amendment";

WHEREAS, the subject site consists of 0.82 acres of land and comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 4, block 2, and lot 3.13 (SBL 4-2-3.13); and

WHEREAS, the action involves a request for a site plan amendment approval for improvements to an existing auto body facility; and

WHEREAS, the applicant has submitted a fully executed short form Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted an uncoordinated SEQRA review for this project; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed site plan layout, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, on March 11, 2009 the Town of New Windsor Planning Board waived the public hearing on the application for site plan amendment approval; and

WHEREAS, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and OCDP responded on November 19, 2008 recommending local determination; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed site plan consisting of two sheets, prepared by Minuta Architecture, PLLC, dated July 1, 2008 and last revised January 6, 2009; and

WHEREAS, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of site plan amendment.

NOW, THEREFORE, be it resolved as follows:

1. The Planning Board is lead agency for an uncoordinated review of this action;
2. This is an Unlisted Action for SEQRA purposes;
3. The EAF submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF submitted by the applicant, the application herein and all pertinent documentation, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.

Upon motion made by Member Van Leeuwen, seconded by Member Schlesinger, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher	<u>Aye</u>	Nay	Abstain	Absent
Member, Howard Brown	<u>Aye</u>	Nay	Abstain	Absent
Member, Neil Schlesinger	<u>Aye</u>	Nay	Abstain	Absent
Member, Henry Vanleeuwen	<u>Aye</u>	Nay	Abstain	Absent
Chairman, Genaro Argenio	<u>Aye</u>	Nay	Abstain	Absent
- - -				
Alternate, Henry Schieble	Aye	Nay	Abstain	<u>Absent</u>

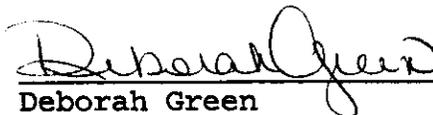
Dated: March 11, 2009
New Windsor, New York



Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 14th day
of ~~March~~, 2009.

Civil



Deborah Green
Town Clerk

**TOWN OF NEW WINDSOR PLANNING BOARD
COUNTY OF ORANGE**

NEGATIVE DECLARATION

*Cimorelli's Econo Collision Center
PB # 08-12*

PLEASE TAKE NOTICE that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617, the Town of New Windsor Planning Board has adopted a Negative Declaration for the project named below. The Planning Board is serving as Lead Agency for this Unlisted Action, for an uncoordinated review of this Unlisted Action.

Name of Project: Cimorelli's Econo Collision Center Site Plan Amendment
Action Type: Unlisted Action; uncoordinated Review
Location: 514 Temple Hill Road
Tax Map Parcel: Section 4, Block 2, Lot 3.13

Summary of Action:

The action involves a request for site plan amendment approval for improvements to an existing auto body facility.

Reasons Supporting the Negative Declaration:

Based on its consideration of the available information, the Planning Board finds there would be no significant adverse environmental effects associated with granting site plan amendment approval for improvements to the existing auto body facility. With respect to traffic patterns, traffic safety and emergency access, the proposed project will have access to Temple Hill Road. With respect to water and sewer resources, the facility will be served by public water and sewer. The site does not constitute significant habitat area for flora or fauna. The site is zoned for commercial use, and it is surrounded by other existing commercial uses, and will not have any impact on any cultural resource. The proposed site plan is considered to comply with all currently existing zoning requirements and municipal plans for the Town of New Windsor, and is consistent with the community character. Visual impacts, traffic, solid waste generation, energy consumption, nor public service demands would be significant or excessive for the development associated with this proposed site plan. No other potentially significant harmful environmental impacts are identified.

Date of Adoption of Negative Declaration: March 11, 2008

Agency Address: Town of New Windsor Planning Board
Town Hall – 555 Union Avenue
New Windsor, New York 12553
Tel. (845) 563-4615

Contact Person: Genaro Argenio, Planning Board Chairman