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TOWN OF NEWFANE

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RESOLUTION 23 -2024

RESOLUTION ISSUING A NEGATIVE DECLARATION FOR MEADOWBROOKE APARTMENTS, AMENDING THE ZONING MAP OF THE TOWN OF NEWFANE TO REZONE PREMISES KNOWN AS 6150 PROSPECT STREET IN THE TOWN OF NEWFANE, NY FROM SINGLE FAMILY RESIDENTIAL DISTRICT (R-1), TO MULTI-FAMILY RESIDENTIAL DISTRICT (R-2) UNDER THE TOWN OF NEWFANE ZONING ORDINANCE

WHEREAS, premises, 6150 Prospect Street, Newfane, NY, has been used as an apartment complex for many years and is currently zoned Single Family Residential District (R-1), under the Zoning Map of the Town of Newfane, dated July 1999, and updated December 2021, and,

WHEREAS, back in 1978, Meadowbrooke Apartment's site was previously zoned single family residential, and the Town Board at that time, passed a Resolution to rezone the premises to allow apartment complexes. No Local Law has been found indicating premises was rezoned to allow apartment complexes on premises. Consequently, the current zoning map illustrates the property as being zoned R-1, which only allows single family homes, and

WHEREAS, Meadowbrooke Apartments is therefore currently non-conforming, being a multi-residence dwelling, and the Town is looking to bring the property in conformance with the previous approval by Resolution of this apartment complex, and to allow for the owner of the property to expand, and

WHEREAS, the Town of Newfane is desirous of rezoning the aforesaid premises to Multi-Family Residential District (R-2), which will, pursuant to the aforesaid previously passed Resolution, allow

for the development of a proposed expansion, and also conform to the current use of the premises, and

WHEREAS, this rezoning and subsequent expansion is an unlisted action under SEQR and the Town has received a FEAF from the Applicant, and

WHEREAS, with such rezoning, the premises would be made a conforming use and would also be in harmony with the character of the neighborhood, and

WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Town of Newfane has reviewed part 1 of the EAF and has completed part 2 and 3 of the FEAF and reviewed the criteria for determining significance in accordance with Section 617.7.

NOW THEREFORE, BE IT FURTHER RESOLVED THAT, the Newfane Town Board, in accordance with the State Environmental Quality Review Act (SEQRA), has determined that the proposed rezoning will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations and therefore issues a SEQR Negative Declaration in accordance with Section 617.7 of the SEQR regulations, and

BE IT FINALLY RESOLVED THAT, the Supervisor is authorized to sign the Environmental Assessment Form (EAF), which will act as the Negative Declaration.

DATED: AUGUST 28, 2024

AYE _____ NAY _____

John Syracuse, Supervisor

AYE _____ NAY _____

Richard Coleman, Councilman

AYE _____ NAY _____

Robert Horanburg, Councilman

AYE _____ NAY _____

Sue Neidlinger, Councilwoman

AYE _____

NAY _____

Peter Robinson, Councilman

DATED: June 26, 2024

DONNA LAKES
Newfane Town Clerk