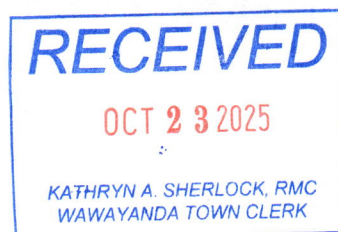


TOWN OF WAWAYANDA PLANNING BOARD
80 Ridgebury Hill Rd, Slate Hill, NY 10973



**APPROVAL OF CASUAL SUBDIVISION/LOT LINE CHANGE FOR
PROJECT BLUEBIRD**

October 22, 2025

WHEREAS, Scannell Properties #600, LLC (“Scannell” or the “Applicant”) has submitted amended applications to the Town of Wawayanda Planning Board (the “Planning Board”) pursuant to Articles III and VII of the Town of Wawayanda Zoning Law (the “Zoning Law”) and NYS Town Law §§ 274-a and 274-b for approval of Special Use Permits and a Site Plan to reclaim an active commercial mine located at 22 McBride Road and Hoops Road in the Town and to redevelop the mine and other adjacent lands with a new 3.2 million± square foot e-commerce logistics, storage and distribution facility (warehouse, storage and distribution facility) to be known as Project Bluebird (the “Project”); and

WHEREAS, the lands involved in the Project include SBL ## 11-1-34.342, 11-1-34.332, 11-1-34.12 and a portions of SBL ## 11-1-41.2 (collectively, the “Project Site”); and

WHEREAS, the Project Site contains 108.4± acres of land and is located in the Town’s Mixed Commercial (“MC-1”) zoning district. The Project is a permitted use in the MC-1 zoning district subject to the Planning Board granting Special Use Permits and Site Plan approval for the Project; and

WHEREAS, as part of the Project, Scannell has also submitted an application (the “Application”) to the Planning Board pursuant to Chapter 162 of the Town Code, entitled “Land Subdivision Regulations of the Town of Wawayanda, Orange County, New York” (the “Subdivision Regulations”) and NYS Town Law § 276 for a casual subdivision/lot line change that would convey the .78± portion of SBL # 11-1-41.2 on the western side of the lands of the Middletown and New Jersey Railroad (SBL # 11-1-16) for the purpose of consolidating those lands with SBL # 11-1-34.342 (the “Plat”). No new lots will be created as a result of this proposed Plat and no development is proposed on the lands to be conveyed; and

WHEREAS, the State Environmental Quality Review Act and its implementing regulations in 6 NYCRR Part 617 (collectively, “SEQRA”) required the Planning Board to evaluate the potential significant adverse environmental impacts of the Project prior to taking any action on the Application; and

WHEREAS, the Planning Board conducted a detailed and comprehensive review of the Project’s potential environmental impacts under SEQRA and adopted a Negative Declaration concluding that the Project will not have any significant adverse impacts on the environment. The adopted Negative Declaration included a variety of actions and improvements that will be undertaken by Scannell as part of the Project to avoid and/or minimize potential environmental impacts from the Project; and

WHEREAS, the Planning Board referred the Project materials to the Orange County Planning Department (“OCPD”) for a recommendation as required by NYS General Municipal Law § 239-m. On April 18, 2025 and September 9, 2025, the OCPD provided its recommendations for approval of the Project and advisory comments on the Project to the Planning Board, which the Planning Board has reviewed and considered; and

WHEREAS, the Planning Board has reviewed and considered all of the information submitted as part of the Application for a casual subdivision/lot line change; and

WHEREAS, pursuant to Subdivision Regulations § 162-35, the Plat contains all relevant and necessary information; and

WHEREAS, the Subdivision Regulations do not require preliminary plat approval for a casual subdivision/lot line change (Subdivision Regulations § 162-14) and authorize the Planning Board to waive the requirement for a public hearing prior to final approval of the Plat pursuant to Subdivision Regulations § 162-(15)(B)(2). The proposed casual subdivision/lot line change will not create any new lots and does not include any proposed improvements on the lands to be conveyed. On May 14, 2025, the Planning Board held a separate public hearing on the Applicant’s Special Use Permit and Site Plan applications for the Project, where no comments on the proposed Casual Subdivision/Lot Line Change were made. Accordingly, on May 28, 2025, the Planning Board waived the need for a public hearing on the application for the Plat pursuant to the authority provided in the Subdivision Regulations.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to Section 162-15(F) of the Subdivision Regulations and NYS Town Law § 276, the Planning Board hereby approves the Plat for the Project entitled “Subdivision/Lot Line Change Map Prepared for Scannell Properties #600, LLC,” prepared by MJ Engineering and Land Surveying, P.C., dated March 25, 2025 (the “Approved Plat”); and

BE IT FURTHER RESOLVED, that Scannell is directed to submit, and this approval is conditioned upon submission of a final plat that includes signatures of the owners of the Project Site. Upon submission of a final plat that satisfies these conditions, the Planning Board Chairman is hereby authorized to stamp and sign the same, thereby certifying it as the final plat for the Project (“Approved Final Plat”); and

BE IT FURTHER RESOLVED, that pursuant to Section 162-18 of the Subdivision Regulations, the Approved Plat shall expire within 180 days after this resolution unless the final plat is signed by the Planning Board Chairman within that period certifying it as the Approved Final Plat. Pursuant to NYS Town Law § 276(7)(c), the Planning Board may extend the time in which the Approved Plat must be submitted for signature by one or more successive periods of 90 days each if the Planning Board determines, in its sole discretion, that such extension is warranted by the particular circumstances; and

BE IT FURTHER RESOLVED, that pursuant to Section 162-19 of the Subdivision Regulations and NYS Town Law §§ 276 and 279, Scannell shall record the Approved Final Plat

with the Orange County Clerk's Office within 62 days after its signing by the Planning Board Chairman; and

BE IT FURTHER RESOLVED, that in the event the Approved Final Plat is not recorded in the Orange County Clerk's Office within 62 days after its execution, pursuant to NYS Town Law § 276(11), the Approved Final Plat shall expire; and

BE IT FURTHER RESOLVED, that within five (5) days of the date of this resolution, a copy of this resolution shall be filed in the office of the Town of Wawayanda Town Clerk, and a copy of this resolution shall be mailed to Scannell within the same five (5) day period; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Motion by: John Razzano

Seconded by: James Driscoll

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RESULTS OF THE VOTE ON THE ABOVE RESOLUTION WERE:

|                           | AYE               | NAY               | ABSTAIN           | ABSENT            |
|---------------------------|-------------------|-------------------|-------------------|-------------------|
| John Razzano, Chairperson | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| James Driscoll, Deputy    | <u>          </u> | <u>          </u> | <u>          </u> | <u>          </u> |
| Chairperson               | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| John Bacan                | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| John Neiger               | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| John Pierce               | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| Lynn Parsons              | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| Thomas Barry              | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |

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VOTE IS CERTIFIED BY:

Stacey Daly-Wilkins
Stacey Daly-Wilkins, Secretary

10/23/2025
Date

THE RESOLUTION IS HEREBY APPROVED AND ORDERED TO THE RECORD BY:

John Razzano
John Razzano, Chairperson

10/23/25
Date