



# Town of Yorktown

*Office of the Town Clerk Diana L. Quast*

## FINAL TOWN BOARD MEETING AGENDA

May 2, 2023

**Spadaccia Meeting Room**

**363 Underhill Avenue, Yorktown, NY 10598**

### 6:30 PM EXECUTIVE SESSION

A motion will be made to go into Executive Session to discuss the following item(s):

Litigation and Negotiations  
Town Attorney

### 7:30 PM TOWN BOARD MEETING

1. PLEDGE OF ALLEGIANCE
2. MOMENT OF SILENCE
3. INTRODUCTIONS
4. REPORT FROM TOWN SUPERVISOR THOMAS DIANA
5. REPORTS FROM TOWN COUNCIL
6. PRESENTATION  
Mental Health Awareness Month - Eugene McGrath  
Military Appreciation Month  
Brian J. Slavin Aquatic Facility Erosion update
7. POET LAUREATE  
John McMullen
8. PERSONNEL  
**Appoint Kristin Scherrer to the position of Senior Office Assistant (auto systems) in the Refuse and Recycling Department**  
Be It Resolved, that Kristin Scherrer is hereby appointed promotional as a Senior Office Assistant (auto systems), job class code 0751-01, from Eligible List No. 02-415, effective May 8, 2023, in the Refuse & Recycling Department, to be paid from Yorktown CSEA Salary Schedule A-1, Group 10, Step 5, which is \$75,103.00 annually; and

Be It Further Resolved, that this appointment is subject to a probationary period of 12 weeks, commencing on the first date of appointment on May 8, 2023.

9. COURTESY OF THE FLOOR

10. RESOLUTIONS

From the Planning Department

**Adopt Draft Environmental Impact Statement Scope dated May 2, 2023 for the Proposed Project Located at 800 East Main Street Yorktown Dev AMS LLC**

Whereas, on October 24, 2022, 800 E Main Yorktown Dev AMS LLC (the “Petitioner”) submitted a petition (the “Petition”) to the Town Board for: (i) amendments to the Zoning Code of the Town of Yorktown (the “Zoning Code”) generally affecting the RSP-2 Senior Citizens District of the Town; and (ii) an amendment to the Zoning Map of the Town of Yorktown to re-zone property known as 800 East Main Street and designated on the Tax Map of the Town of Yorktown as Tax ID: 5.19-1-15 (the “Property”) from OB Research Laboratory and Office District to RSP-2 Senior Citizens District of the Town to permit the redevelopment of the Property with an active adult residential community available to adults aged 55 and over, consisting of approximately 250 dwelling units including a mix of rental units and for-sale townhomes, together with amenities, 383 parking spaces and related infrastructure, generally in accordance with the Concept Plan attached as Exhibit A to the Petition (the “Project”); and

Whereas, on November 1, 2023, the Petitioner submitted a Full Environmental Assessment Form (“FEAF”) to the Town Board; and

Whereas, on November 22, 2022, the Town Board declared its intent to act as lead agency for the Petition, the Project and all related actions under SEQRA (the “Proposed Action”), and thereafter circulated a “Notice of Intent to Act as Lead Agency” to the various involved agencies together with the Petition and FEAF; and

Whereas, on March 7, 2023, the Town Board: (i) confirmed lead agency status for review of the Proposed Action under SEQRA; (ii) classified the Proposed Action as a Type I action under SEQRA; (iii) issued a positive declaration of environmental significance under SEQRA and required the Petitioner to prepare a Draft Environmental Impact Statement (“DEIS”) for the Proposed Action; (iv) directed the Petitioner to prepare and submit a draft Scope for the DEIS to the Town Board (the “DEIS Scope”); and (v) set a public scoping session on the DEIS for April 4, 2023; and

Whereas, on April 4, 2023, the Town Board (i) conducted and closed the duly noticed public scoping session, at which all persons in attendance having comments on the DEIS Scope were heard; and (ii) resolved that the written comments on the DEIS Scope would be accepted until the close of business on April 14, 2023; and

Whereas, the Town Board thoroughly reviewed and considered the DEIS Scope, all comments on the DEIS Scope received at the public scoping session, and all subsequently received written comments, including those from Town professional staff and the Town’s consultants, the Planning Board, the Conservation Board, and the Advisory Board on Architecture and Community Appearance (ABACA); and

Whereas, the DEIS Scope has been appropriately revised to incorporate the oral and written comments of the public and of involved and interested agencies; now

Therefore Be It Resolved by the Town Board of the Town of Yorktown as follows:

1. The DEIS Scope dated May 2, 2023 is hereby adopted by the Town Board.
2. The Town Board hereby requests that the adopted DEIS Scope be provided by the Town Clerk to the Petitioner, all involved agencies, and any interested person requesting a copy, as required under 6 NYCRR §617.8(e).

From the Town Clerk

**Authorize Town Clerk to refer out and set public hearing to consider the Wetland/Stormwater Management Permit Application for the installation of an in-ground pool on property located at 79 Somerston Road**

Notice Is Hereby Given that a public hearing will be convened by the Town Board, Town of Yorktown, Westchester County, New York on Tuesday, May 16, 2023 at the Town Hall, 363 Underhill Avenue, Yorktown Heights, New York at 7:30 o'clock PM to consider the Wetland/Stormwater Management Permit Application submitted by Frank and Danielle Jennings for the installation of an in-ground pool on property located at 79 Somerston Road, also known on the Tax Map of the Town of Yorktown as Section 17.10, Block 10, Lot 03.

**Authorize Town Clerk to refer out to appropriate agencies the sign permit application received from Diah Hamed for the gas station located at 1530 East Main Street**

Resolved, the Town Clerk is authorized to refer out to the appropriate agencies for their review the sign permit application for the gas station located at 1530 East Main Street, Shrub Oak, New York, submitted by Diah Hamed for a Gulf Gas Station Sign.

From the Town Engineer

**Budget Transfer for Maintenance and Repair for Pump Station**

Resolved, that the Comptroller is authorized to transfer \$35,000 from YS (GD.9901.0904) to Maintenance and Repair Pump Station (GD.8130.0462), and

Be It Further Resolved, that an emergency repair of the electric motor by GM Pump Repair for an estimated \$20,000 is authorized.

11. ADJOURN MEETING

A motion will be made to adjourn the Town Board meeting.

Dated: May 2, 2023

DIANA L. QUAST, TOWN CLERK  
MASTER MUNICIPAL CLERK  
TOWN OF YORKTOWN

**\*\*\*AGENDAS ARE SUBJECT TO CHANGE\*\*\***

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