



TOWN OF YORKTOWN
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, NY 10598

This is a resolution adopted by the Town Board of the Town of Yorktown at its regular meeting held on Tuesday, March 7, 2023.

Resolution of the Town Board of the Town of Yorktown: 1) Confirming Lead Agency for Review under the State Environmental Quality Review Act (“SEQRA”) for the Proposed Project Located at 800 East Main Street, 2) Classifying the Project as a “Type I” Action Under SEQRA; 3) Issuing a Positive Declaration of Environmental Significance and Requiring the Preparation of a Draft Environmental Impact Statement (“DEIS”) for the Project; and 4) Scheduling a Public Scoping Session With Respect to the DEIS.

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 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, more than thirty (30) days has passed since the Notice of Intent, the Petition and FEAF was sent to all potentially involved agencies, and no such agency has objected to the Town Board acting as lead agency for review of the Proposed Action under SEQRA; and

Whereas, the Town Board has thoroughly reviewed the Petition and the FEAF together with the criteria contained in 6 NYCRR §617.7 (c);

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

1. The Town Board hereby confirms its status as Lead Agency for review of the Proposed Action.
2. The Town Board hereby determines that the Proposed Action presents at least one potential significant adverse environmental impact. Accordingly, the Town Board hereby: (a) issues a positive declaration of environmental significance (the "Positive Declaration") with respect to the Proposed Action and authorizes this determination to be endorsed on the Part 3 of the FEAF attached hereto and made part hereof, and (b) requires the preparation of a draft environmental impact statement ("DEIS") for the Proposed Action.
3. The Town Board hereby authorizes and directs Petitioner to prepare and submit a draft scope for the DEIS (the "DEIS Scope") to the Town Board not later than March 15, 2023, and hereby directs the Town Clerk to send a copy of this resolution and the draft scope to all involved agencies, and to make them available for public review not later than March 24, 2023.
4. The Town Board hereby: (a) elects to conduct a public scoping session on April 4, 2023 at 7:30 p.m., or as soon thereafter as the same can be heard, at Town Hall, at which time all persons interested may attend and be heard with respect to the DEIS Scope; and (b) directs the Town Clerk to publish notice of the scoping session in the Town's official newspaper once, but not later than March 24, 2023.



Diana L. Quast, Town Clerk
Master Municipal Clerk

Date: March 8, 2023

To: Thomas P. Diana, Town Supervisor

cc: Patricia Caporale, Town Comptroller
800 E. Main Yorktown Development AMC LLC
John Tegeder, Director of Planning
Adam Rodriguez, Town Attorney
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