



**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 March 19, 2024.

Whereas, the East of Hudson Watershed Corporation, (the “Applicant”) as applicant, applied to the Town Board of the Town of Yorktown for a Wetland permit approval under Chapter 178 of the Town Code of the Town of Yorktown; and

Whereas, the East of Hudson Watershed Corporation, as applicant, applied to the Town Board of the Town of Yorktown for a Tree Removal permit approval under Chapter 270 of the Town Code of the Town of Yorktown; and

Whereas, the applicant proposes to construct stormwater retrofit project to treat the Town’s requirements as part of the EOHWC, in compliance with their MS4 Permit requirements. The project will divert the water quality volume to a to a treatment area prior to discharge to Hallocks Mill Brook and the Muscoot Reservoir; and

Whereas, the proposed action is located in a Town of Yorktown jurisdictional wetland; and

Whereas, the applicant proposes to permanently disturb the Town of Yorktown jurisdictional wetland and wetland buffer and modify the wetland buffer in order to construct the proposed improvements; and

Whereas, pursuant to Chapter 178 of the Town of Yorktown Town Code entitled “Freshwater Wetlands” a wetland permit is required for the proposed action in which the Town Board of the Town of Yorktown serves as approval authority; and

Whereas, the proposed action will require the removal of 145 trees; and

Whereas, pursuant to Chapter 270, a tree permit is required for construction of the proposed stormwater system; and

Whereas, the applicant has submitted a Town of Yorktown wetland permit application T-W-SWPPP-008-24, dated February 28, 2024; and

Whereas, the applicant has submitted a short-form Environmental Assessment Form (EAF), dated December 15, 2023; and

Whereas, the proposed action has been determined to be an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

Whereas, the Town of Yorktown Town Board declared intent to be Lead Agency on March 12, 2023 and having received no objection is therefore Lead Agency for this action; and

Whereas, a public hearing was held opened on March 19, 2024 in order to solicit comments from the public regarding the proposed action; and

Whereas, the Town Board has considered all reasonably related long-term, short-term, direct, indirect, and cumulative environmental effects associated with the proposed action including other simultaneous or subsequent actions and determined that the action will not have a significant adverse impact on the environment; now

Therefore Be It Resolved, that the public hearing for the Wetland Permit and Tree Permit is hereby closed; and

Be It Further Resolved, the following plans and documents are approved subject to the below-listed conditions:

- Set of plans entitled “Focal Point System Overlay, Hallocks Mill Road, Yorktown Heights, NY, Site Designation FP-1”, Sheets 1 through 8.

Be It Further Resolved, that the Wetland Permit and Tree Permit is granted subject to the signing of the plans by the Deputy Town Supervisor and shall be valid for a period of one year from date of this resolution and that all work associated with the project shall be conducted in strict compliance with the approved plans; and

Be It Further Resolved, that the Applicant will provide the Town Board with a report stating whether the applicant has complied with the requirements of this Resolution and the approved drawings by the end of the term of this permit; and

Be It Further Resolved, that the Wetland Permit shall automatically expire upon completion of work; and

Be It Further Resolved, that the below-listed conditions must be completed within six months of the date of this Resolution or shall become null and void unless an extension is requested by the applicant (in writing) within said six-month period and granted by the Town Board; and

Conditions that must be met prior to the Deputy Town Supervisor signing the Plans:

1. None

Conditions of the Permits

1. The applicant agrees to allow periodic inspections by the Town and its consultants.
2. The Town Staff shall inspect the site at the end of construction to ensure compliance with the permit.
3. No additional disturbance or modification to the approved plans is permitted without prior written approval from the Town Engineer.
4. A pre-construction meeting with the applicant’s contractors and the Town Staff must be held prior to the commencement of work. The applicant must contact the Town Engineering Department at 914-962-5722 x220 at least 72 hours in advance of the meeting date to schedule the pre-construction meeting.

Additional Requirements to be Satisfied Subsequent to the Signing of the Plans:

1. The Town Engineer must provide written report, no later than at the expiration date of the wetland permit, documenting the status of the implementation of the requirements of this resolution.



Diana L. Quast, Town Clerk  
Master Municipal Clerk

Date: May 13, 2024

To: Kevin Fitzpatrick, East of Hudson Corporation  
Dan Ciarcia, Town Engineer

cc: Edward A. Lachterman, Town Supervisor  
Gennelle MacNeil, Town Comptroller  
Adam Rodriguez, Town Attorney  
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