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July 26, 2019

Hon. Robert Lanier, Chairman
& Members of the Zoning Board of Appeals
City of Beacon Zoning Board
1 Municipal Center
Beacon, NY 12508

Re: Edgewater Area Variance Approvals – Request for One (1) Year Extension
Tax IDs 5954-25-566983, 574979, 582985, & 5955-19-590022
City of Beacon, New York

Dear Chairman Lanier and Zoning Board Members:

On behalf of Scenic Beacon Developments, LLC (“the Applicant”) we are writing to request a one (1) year extension of the January 17, 2018 variances granted by Resolution of the Zoning Board of Appeals (“ZBA”). According to condition 2 on page 8 of the ZBA Resolution “[t]he Applicant shall obtain a building permit within twelve (12) months from the date of obtaining the last land use approval.”¹ The last land use approval was issued by the Planning Board at their September 11, 2018 regular meeting, where the Applicant was granted Site Plan and Subdivision Approval. This request is timely, as one (1) year has not elapsed since the date of the September 11, 2018 Planning Board Approval. Accordingly, the Applicant respectfully requests a one (1) year extension of the ZBA Resolution from September 11, 2019 in order to obtain a Building Permit.

The Applicant has been working diligently with the project consultants, City Staff and the Dutchess County Department of Behavior and Community Health (DCDBCH) in order to satisfy each of the prerequisite conditions provided in the 2018 Planning Board Approval Resolution in order for the Final Subdivision Plat to be signed by the Planning Board Chairman and subsequently recorded in the Dutchess County Clerk's Office. Further, our office has been in regular contact with the DCDBCH, as well as the City

¹ **Note:** Based on discussions during the ZBA’s review of the application, the Resolution notes that the project will take time to build/complete, indicating that without extension the variance would terminate after *five (5) years* from the date of the last land use approval.

Engineer and the Applicant doing everything possible to facilitate this signoff.² To date, all of the DCDBCH comments have been satisfied with the exception of providing hydraulic modeling of the receiving City sewer system, which is being processed. We continue to work with the City to provide this information.

As noted above, the one (1) year period to fulfill all items noted within the conditions of the adopted ZBA Resolution will expire on September 11, 2019. In accordance with condition 2 on page 8 of the adopted ZBA Resolution, the Applicant hereby respectfully requests a one (1) year extension in order for the Applicant to obtain a Building Permit, extending the ZBA Resolution until September 11, 2020. If the conditions are fulfilled prior to the expiration date, we will withdraw our extension request. Please place this item on the next available ZBA Agenda for consideration of the one (1) year extension.

We look forward to discussing this proposal with you at your next available ZBA meeting. Should you have any questions, please feel free to call me at 845-440-6926.

Sincerely,

A handwritten signature in black ink, appearing to read "Mr. Bodendorf", with a stylized, cursive script.

Michael A. Bodendorf, P.E.
Principal

cc: Scenic Beacon Developments, LLC
Tina Andress-Landolfi
Taylor M. Palmer, Esq.
Aryeh Siegel, AIA
Daniel G. Koehler, P.E. (HLD File)

² Note: Copies of related correspondence with the DCDBCH is available upon request.