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July 26, 2019

Hon. John Gunn, Chairman
& Members of the Planning Board
City of Beacon Planning Board
1 Municipal Center
Beacon, NY 12508

Re: Edgewater Site Plan and Subdivision Request for Two (2) 90-Day Extensions
Tax IDs 5954-25-566983, 574979, 582985, & 5955-19-590022
City of Beacon, New York

Dear Chairman Gunn and Members of the Planning Board:

On behalf of Scenic Beacon Developments, LLC (“the Applicant”) we are writing to request an additional two (2) 90-day extensions of the September 11, 2018 Site Plan and Subdivision Approval Resolution (the “Resolution”), last extended at the February 13, 2019 Planning Board meeting to begin on March 10, 2019. This request is timely, as 180 days have not elapsed since the February 13, 2019 extension.

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 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. As this Board may be aware, the City Attorney is reviewing the required easement agreements and documents conditioned in the Resolution. Further, we have been in regular contact with the DCDBCH, as well as the City Engineer and the Applicant is doing everything possible to facilitate this signoff. To date, all of the DCDBCH comments have been satisfied with the exception of providing hydraulic modeling of the receiving City sewer system, which we understand is being processed. We continue to work with the City in providing this information.

The one hundred eighty (180) day period to fulfill all items noted within Conditions A and B of the Resolution will expire on September 6, 2019. Pursuant to Section

276(7)(c) of the New York State Town Law and General Condition E.12 of the Code of the adopted Resolution, the Applicant hereby respectfully requests two additional (2) 90-day extensions of the time from September 6, 2019 within which the conditionally-approved final plat for the subject subdivision must be submitted for signature.

The Applicant has made substantial progress toward fulfilling Conditions A and B within the adopted Resolution which include, but are not limited to the following:

Condition A – Subdivision Plat

2. The plans have been submitted to the Dutchess County Department of Behavioral and Community Health (DCDBCH) and they have concluded their review. The only remaining comment is requiring modeling of the receiving sewer line to the sewer treatment plant.¹
3. A revised Subdivision Plat has been provided to the City Engineer for final review, and there are no further comments.
4. A revised Subdivision Plat has been provided to the City Planner for final review, and there are no further comments.
5. The required note has been added to the Subdivision Plat and provided to the Planning Board's consultants for review. We have received no comments with regard to this note.
6. The Subdivision Plat has been revised to reference a reservation by rights by the City of Beacon with a grant of easement rights to the City of Beacon. The plat is currently under review by the planning board consultants. We believe that this has been resolved.
7. The Connection Trail Regulations are included within the easement and maintenance agreement for the Connection Trail easement for review by the Planning Board Attorney.
8. All easements are now shown on the Plat and have been provided to the Planning Board's consultants for review. We believe that this issue has been resolved.
9. The Stormwater Easement and Maintenance Agreement has been provided to the Planning Board's Attorney for Review.
10. The Offer of Dedication is clearly delineated on the Subdivision Plat and a draft Offer of Dedication has been prepared by the Applicant's attorney for review by the Planning Board Attorney.
11. Draft Offer of Dedication and Maintenance Agreement for the Water Main Easement have been prepared by the Applicant's attorney for review by the Planning Board Attorney.
12. A bond estimate is being revised to include Branch Street improvements and will be provided to the City Engineer for review once revised.

¹ Note: Copies of the correspondence with the DCDBCH is available upon request.

Condition B – Site Plan

1. Condition noted. *See* Condition A.2 response above.
2. Condition noted. *See* Condition A.3 response above.
3. Condition noted. *See* Condition A.4 response above.

Based upon the status of the conditions listed above and the Applicant's diligence in prosecuting same, we are respectfully requesting two (2) 90-day extensions of approval in order to complete all conditions, thus extending to March 4, 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 Planning Board meeting Agenda for consideration of two (2) 90-day extensions.

We look forward to discussing this proposal with you at your next available Planning Board 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)