

## MEMORANDUM

**TO:** Mayor Lee Kyriacou and the City of Beacon City Council

**FROM:** Keane & Beane, P.C.

**RE:** Riding Ridge Trail Dedication

**DATE:** January 3, 2020

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Proposed Action by City Council: Acceptance of an Offer of Dedication by OL Beacon LLC regarding the roadway known as Riding Ridge Trail and its associated easements.

Several years ago, OL Beacon LLC applied to the Planning Board for the approval of a residential subdivision entitled "Polo Field Investments." The City approved the subdivision (plat was filed in the Dutchess County Clerk's Office in 2004), but the approval was conditioned on OL Beacon LLC dedicating certain public improvements to the City.

The dedications are as follows: (1) Riding Ridge Trail roadway, (2) an easement for drainage and general utility purposes, (3) two sight line easements, (4) an easement to deposit, store and remove snow, (5) a water and sewer easement in Fairways Lane, (6) a sewer pumping station at the end of Fairways Lanes, and (7) a sewer easement to serve Lot 32 (Firehouse Lot). The Polo Fields subdivision covers land both in the City and the Town of Fishkill (which granted land use approvals for the portion of the project located in its jurisdiction). Riding Ridge Trail is located solely within Beacon, while some of the utility easements and the sewer pump station are located in the Town.

Currently proposed is the acceptance of Items 1, 2, 3 and 4, which includes the roadway and associated easements, which will allow the City Highway Department to include the roadway in its snow and ice removal itinerary in inclement weather. Upon submission of a Bill of Sale for the water and sewer infrastructure within Riding Ridge Trail the City Council may take action to accept that infrastructure.

Regarding Items 5 and 6, according to a December 2019 inspection of the Fairways Lane Pump Station by the City Water and Wastewater Superintendent, the control panel on the generator at the pump station indicated that the generator is overdue for maintenance but the generator appeared to be reach to operate if needed. The owner should arrange to have the scheduled maintenance performed for the generator and we have communicated this to the owner's attorney. Upon confirmation that such

maintenance and any associated repairs are complete, the City Council should consider acceptance of Items 5 and 6, above.

Regarding Item 7, above, the dedication is offered for the sewer line to the firehouse of the Dutchess Junction Fire District. However, City staff and consultants do not recommend that the City Council accept dedication of this line as it is not in the best interests of the City to do so from a maintenance perspective. We are advised that the line runs from the firehouse parcel down through the Polo Field – Multifamily area known as Lot 31. As the line traverses the multifamily development, it receives sewage flow from an additional 25 units within the multifamily development. The sewer collection system and associated pump station on Lot 31 was originally set up as a private collection system, and the City has not maintained any of these lines within the multifamily area since the construction of the project. Further, installation of the lines was not observed by the City. The firehouse sewer line does not service any property within the City of Beacon and should be offered for dedication to the Town of Fishkill or the Fire District. Provided the City Council agrees with this recommendation, a resolution will be prepared for an upcoming agenda declining the acceptance of the sewer easement to serve Lot 32 (Firehouse Lot).

Including in your agenda materials are the following documents:

1. Proposed Resolution Accepting Dedication of the road identified as Riding Ridge Trail
2. Offer of Dedication by the developer previously recorded in the County Clerk's Office
3. As-Built Survey of Riding Ridge Trail
4. Lanc & Tully Letter of Acceptance of certain improvements offered for Dedication.
5. Proposed Deed with Easements