



City of Beacon
CITY COUNCIL

RESOLUTION

**GRANTING A SPECIAL USE PERMIT EXTENSION FOR
EDGEWATER (22 EDGEWATER PLACE)**

5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979

WHEREAS, on August 6, 2018 the City of Beacon City Council granted a Special Use Permit to **Scenic Beacon Developments, LLC** (the “Applicant”) to construct 246 units of multifamily housing on property located and collectively known as 22 Edgewater Place, located in the RD-1.7 Zoning District (the “Special Permit Resolution”). Said premise being known and designated on the City Tax Map as Pace IDs **5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979**; and

WHEREAS, pursuant to Section 223-18.F(1) of the City of Beacon Zoning Code and Condition #7 of the Special Permit Resolution, the Special Permit shall expire if, among other, things a bona fide application for a Building Permit is not filed within (1) year of the issuance of the Special Use Permit; and

WHEREAS, on August 19, 2019, the City Council granted one (1) six (6) month extension of the City Council’s Resolution Granting A Special Use Permit, dated August 6, 2018 for property located at 22 Edgewater Place to expire on February 6, 2019; and

WHEREAS, the City Council is in receipt of a letter from Taylor Palmer, Esq. from Cuddy & Feder, LLP., dated January 30, 2019, requesting an additional six (6) month extension of the City Council’s Resolution Granting a Special Use Permit; and

WHEREAS, in accordance with Section 223-F(2) of the City of Beacon Zoning Code and Condition #8 of the Special Permit Resolution, the City Council may grant one (1) or more extensions of up to six (6) months each, to “(a) complete the conditions of approval for the special permit use, upon a finding that the applicant is working toward completion of

such conditions with due diligence and has offered a reasonable explanation of its inability to complete such improvements and file a bona fide application for a building permit;” and

WHEREAS, Mr. Palmer explained in his letter that the Applicant is working with City Staff toward satisfying the final comment from the Dutchess County Department of Behavior and Community Health (the “County Health Department”), so that the Final Subdivision Plat may be approved and signed by the County Health Department; and

WHEREAS, the Applicant has been in contact with the City Attorney and the City Administrator regarding the sign-off from the County Health Department; and

WHEREAS, the Applicant appeared at the Council’s February 10, 2020 Work Session meeting and answered questions from the Council.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Beacon hereby finds that the Applicant is working toward completion of the conditions of approval with due diligence and has offered a reasonable explanation of its inability to complete such improvements and filed a bona fide application for a building permit and grants one (1) six (6) month extension of the City Council’s Resolution Granting a Special Use Permit for property located at 22 Edgewater Place to expire on August 6, 2020.

BE IT FURTHER RESOLVED, except as specifically modified by the amendment contained herein, the Special Permit Resolution dated August 6, 2018 is otherwise to remain in full force and effect.

Resolution No. ____ of 2020		Date: <u>February 18, 2020</u>					
<input type="checkbox"/> Amendments		<input type="checkbox"/> On roll call				<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Air Rhodes					
		George Mansfield					
		Jodi McCredo					
		Amber Grant					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					