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MEMORANDUM

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

FROM: Keane & Beane, P.C.

RE: Polo Fields

DATE: April 23, 2020

Proposed Actions by City Council: Acceptance of an Offer of Dedication regarding (1) water, sewer and storm drainage infrastructure in Riding Ridge Trail; (2) water and sewer infrastructure and easement in Fairways Lane; (3) sewer pumping station and force main at Fairways Lane; and (4) rejection of offer of dedication of a sewer easement to serve Lot 32 (Firehouse Lot).

Background: Several years ago, OL Beacon LLC (former property owner) 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) and the approval was conditioned on OL Beacon LLC dedicating certain public improvements to the City. An Offer of Dedication was recorded in the County Clerk’s Office in 2004.

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 associated with Fairways Lane are located in the Town.

In January 2020, the City Council accepted certain improvements and easements regarding Riding Ridge Trail. Since that time, the current owner (Beaver Brook Beacon Acquisitions, LLC) has arranged for the routine scheduled maintenance required for the Fairways Lane Pump Station as confirmed by the City Water and Wastewater Superintendent, which was outstanding at the time of the City Council’s action in January. Thus, the Council should consider acceptance of Items 1, 2 and 3, listed above.

Regarding Item 4, listed above, you may recall from our January 2020 memorandum that 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 accept dedication of this line as it is not in the best interests of the City 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. A Resolution has been prepared to reject the sewer easement serving Lot 32 (Firehouse Lot).

Including in your agenda materials are the following documents:

1. Draft Resolution Accepting Riding Ridge Trail Utility Infrastructure (water, sewer, storm drainage)
2. Draft Resolution Accepting Fairways Lane Utility Infrastructure (water, sewer), Easement and Pump Station
3. Draft Resolution Rejecting Firehouse Lot Sewer Easement
4. Offer of Dedication
5. Bill of Sale for Riding Ridge Trail infrastructure
6. As-Built Survey Fairways Lane
7. As-Built Survey Riding Ridge Trail
8. Letter of Acceptance by Lanc & Tully for Riding Ridge Trail
9. Maintenance Bonds