



300 Westage Business Center, Suite 380
Fishkill, New York 12524
T 845 896 2229
F 845 896 3672
cuddyfeder.com

Jennifer L. Van Tuyl
JVanTuyl@cuddyfeder.com

May 30, 2017

BY HAND:

Hon. James C. Sheers, Chairman
And Planning Board Members
City of Beacon Planning Board
City Hall
1 Municipal Square
Beacon, New York 12508

Re: Lee/Gowan lot line realignment: Request for 90 day extension
Final Subdivision Plat Approval
Premises: 300 and 310 South Avenue, Beacon, New York

Dear Chairman Sheers and Planning Board Members:

I am writing to request a 90 day extension of the above Final Subdivision Plat approval granted on December 13, 2016. The Resolution of Approval provided that 90-day extensions could be granted, at the Planning Board's discretion, upon written request by the Applicants submitted prior to the expiration of the Final Subdivision Plat approval. This request is timely, as 180 days has not elapsed since the date of the Resolution of Approval.

The Applicants have been working diligently to fulfill the conditions of final approval and this is therefore an appropriate case for granting extensions. The Applicants' consulting Engineer, Michael A. Bodendorf, P.E., has prepared the final driveway construction plans. Mr. Lee has been making every effort to coordinate the funding necessary to complete the new driveway and the landscaping. The attorneys for both parties have discussed the arrangements to complete the transactional documents and mortgage releases as soon as possible, including the transfer of land to Parcel 1, and the discontinuance of the access easement benefiting 300 South Avenue over the driveway on 310 South Avenue, as well as the amended sewer easement over 310 South Avenue for the benefit of 300 South Avenue, however the requested extension is necessary to allow time for the finalization of the documents, and their review by counsel and title companies. The transactional documents are being prepared for recording simultaneously with the filing of the



plat. When all the above is completed, Mr. Bodendorf will be ready to submit the final plat for final review by the City Planner and Engineer, and signature by the Chair. In the meantime, Mr. Bodendorf has addressed all of the Lanc & Tully comments to date.

Based upon the above, I respectfully request that the Planning Board grant a single 90 day extension,¹ thus extending to September 11, 2017, the date by which all items in Condition A of the Resolution of Approval must be certified as completed and the Final Subdivision Plat submitted for endorsement by the Planning Board Chair. This is the minimum extension provided for in the City code.

I respectfully request that the Applicants' request for this extension be considered at the next Planning Board meeting on Tuesday, June 13th. If you should have any immediate questions, please do not hesitate to contact me. Thank you in advance for your consideration in this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Jennifer L. Van Tuyl".

Jennifer L. Van Tuyl

Enclosure

cc: Jennifer Gray, Esq., Attorney to the Planning Board
John Russo, P.E.
Michael A. Bodendorf, P.E., Hudson Land Design
Thomas E. Cerchiara, P.L.S., TEC Land Surveying
Kenneth M. Stenger, Esq.

¹ No extension of the Amended Site Plan approval is required at this time.