



445 Hamilton Avenue, 14th Floor  
White Plains, New York 10601  
T 914 761 1300  
F 914 761 5372  
cuddyfeder.com

Taylor M. Palmer  
tpalmer@cuddyfeder.com

September 18, 2017

**BY FIRST CLASS MAIL  
AND E-MAIL**

Mayor Randy Casale and  
Members of the City Council  
City of Beacon  
1 Municipal Plaza  
Beacon, New York 12508

Re: Roseneth Estates, LLC  
Premises: South Avenue, Beacon, New York  
Preliminary & Final Subdivision Approval /  
Quitclaim Deed Extension of Conditions of Sale

Dear Mayor Casale and Members of the City Council:

On behalf of Roseneth Estates, LLC and Rodney Weber (collectively referred to as the "Applicants"), I am writing to request an extension of the Conditions of Sale set forth in the Quitclaim Deed (the "Deed"), by and between the City of Beacon ("Seller") and Roseneth Estates, LLC ("Purchaser"), dated January 10, 2014. Following the execution of the Deed, the City of Beacon Planning Board granted Preliminary and Final Subdivision Approval to the Applicants, which was adopted on November 12, 2014, and dated December 9, 2014 (the "Subdivision Approval"). Subsequent thereto, the Applicants appeared before the City of Beacon Planning Board in order to obtain non-material changes to the Subdivision Approval, specifically Conditions A.2.b and 3.c of the Subdivision Approval, regarding sight distance along Sargent Avenue at the driveway entrance to the Premises. The entrance to the Applicant's property had adequate Site Stopping Distance, and it was confirmed that a sight distance clearing easement was not required. At the same time, the Applicants met with and were in regular communication with adjacent property owners regarding a proposed driveway maintenance agreement, which ultimately led the Applicants to agree to maintain the length of the driveway at the Applicants' sole cost.

The Applicants appeared before the Planning Board on April 14, 2015, and again on May 12, 2015, and the Planning Board resolved to accept the proposed non-material changes to the Subdivision Approval. The Applicants worked diligently to satisfy the remaining Conditions to the Subdivision Approval, and on August 11, 2015, the Final Subdivision Plat was executed by Planning Board Chairman Sheers, thereby validating the Subdivision Approval and confirming that all of the conditions of the Subdivision Approval have been met.



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As you are aware, Condition I.(10) of the Conditions of Sale set forth in the Deed required the Purchaser to submit a complete building permit application for a single family home within 45 days of the Final Subdivision Approval, which was signed by the Planning Board on August 11, 2015. As you are also aware, Condition I.(12) of the Conditions of Sale set forth in the Deed requires the Purchaser to diligently pursue construction and obtain a Certificate of Occupancy for a preliminary dwelling within one (1) year of the date of issuance of the building permit. The Applicants subsequently obtained a building permit on October 12, 2016.

At this time, the Applicants have commenced construction and have been diligently working with the Contract Vendee toward obtaining a Certificate of Occupancy. We understand that the foundations were refinished, and that further support pillars were installed, with framers scheduled to be on site in the coming week. The Applicants had expected construction to proceed more quickly, but there was a delay caused by unexpected circumstances. Enclosed is a letter from the Contract Vendee, regarding the unanticipated delays. Additionally, enclosed is a copy of the anticipated work schedule for the Premises to bring the development to a Certificate of Occupancy. Given the Applicants' diligent efforts to date and the continued work at the Premises, the Applicants respectfully request two (2) 90-day extensions, as authorized by Condition I.(14) of the Conditions of Sale set forth in the Deed, in advance of the pending expiration on October 12, 2017.

The Applicants appreciate the City Council's time and assistance with this matter and respectfully request that this extension request be considered at the City Council's next work shop meeting on September 25, 2017 so that the City Council can vote on the extension at its October 2, 2017 meeting. In the meantime, should the City Council, its consultants or City Staff, have any questions or comments, please do not hesitate to contact me.

Thank you in advance for your consideration.

Very truly yours,



Taylor M. Palmer

Enclosures

cc: Nicholas M. Ward-Willis, City Attorney; Anthony Ruggiero, City Administrator;  
Jennifer Gray, Planning Board Attorney; Roseneth Estates, LLC; Rodney Weber



----- Forwarded message -----

From: Priscille Voekler <[priscille.d.r@gmail.com](mailto:priscille.d.r@gmail.com)>

Date: Mon, Sep 18, 2017 at 12:22 PM

Subject: Roseneth Estates - Extension

To: Weber Projects <[tina@weberprojectsllc.com](mailto:tina@weberprojectsllc.com)>

To Whom It May Concern,

My husband, Christopher Voekler and I are the Contract Vendees to buy the property located at 200 South Avenue, which is owned by Roseneth Estates, LLC.

We had every intention of working with Roseneth Estates, LLC, to build our house within the timeframes identified in the Conditions of Sale set forth in the Quitclaim Deed between the City of Beacon, however shortly after we became Contract Vendees to own the property, I became pregnant. Unfortunately I had a very complicated pregnancy with a diagnosis of hypermesis gravidarium. As such I spent most of a year either in hospital with IV tubes or heavily sedated. Shortly after the pregnancy I rented an apartment in Beacon to be able to move ahead full steam on this project. When I was in the process of moving in I broke my right ankle and was in a cast, unable to drive, for another three months.

As you can imagine these delays were completely unintentional but do add up to well over a full year of being incapacitated and unable to move ahead with the project despite my best efforts. I hope that you will take this into account when considering the extension requested by Roseneth Estates.

Since these events I have been getting back on track with the project to the best of my ability. For this Board's information, foundations were refinished, further support pillars were put in for the structure just this week and framers are scheduled to be on site by next week. We are just as anxious as anyone to have this project finished in a timely manner.

If you have any further questions or concerns please do not hesitate to contact me at 646-404-0248 or by email.

Best

Priscille Voekler

Sep-1-2017
Oct-1-2017
Nov-1-2017
Dec-1-2017
Jan-1-2018

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