



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 39 OF 2024

**AUTHORIZING THE RECORDING OF AN OFFER OF DEDICATION OF SANITARY
SEWER INFRASTRUCTURE**

WHEREAS, the Beacon Planning Board received from Scenic Beacon Developments, LLC (“Applicant”) an application for Internal Property Subdivision Approval pursuant to City of Beacon Zoning Code §223-25.C(3) (the “Applicant”), for a 7-lot internal property subdivision (“Project”), on property located at 18-30 Edgewater Place in the Designed Residence Zoning District (“RD-1.7”) and designated on the Tax Map of the City of Beacon as Parcel ID# 5955-19-590022 (the “Property”); and

WHEREAS, by Resolution dated September 11, 2018, the Applicant received Site Plan and Subdivision (lot merger) approvals for the construction of seven buildings containing 246 apartments, including 25 workforce housing units (350 bedrooms total) (the “Approvals”); and

WHEREAS, by Resolution dated March 12, 2024, the Planning Board granted Preliminary and Final Subdivision approval for the internal lot subdivision for the Edgewater Project; and

WHEREAS, pursuant to the Planning Board approvals, the Applicant is required to install certain sanitary sewer infrastructure as more specifically detailed in the approval Resolution, staff comments, and approved plans (the “Sanitary Sewer Infrastructure”); and

WHEREAS, as a condition of the March 12, 2024 internal lot subdivision approval resolution, the Applicant is required to either form a transportation corporation for sewer works pursuant to the provision of the NYS Transportation Law or submit to the City an offer of Cession and Dedication for the Sanitary Sewer Infrastructure; and

WHEREAS, by letter dated April 19, 2024, the applicant submitted an irrevocable Offer of Dedication of the Sanitary Sewer Infrastructure.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon hereby expresses its non-binding intent to accept dedication of the Sanitary Sewer Infrastructure; and

BE IT FURTHER RESOLVED, the City authorizes the recoding of the irrevocable Offer of Dedication of the Sanitary Sewer Infrastructure upon the following conditions:

1. The irrevocable Offer of Dedication of the Sanitary Sewer Infrastructure shall be in form and substance acceptable to the reasonable satisfaction of the City Attorney and City Engineer;
2. The Applicant shall pay to the City all professional review fees incurred by the City in connection with the Offer of Dedication for the Sanitary Sewer Infrastructure;
3. The Sanitary Sewer Infrastructure shall be installed in accordance with the plans approved by the City and as may be modified, and in conformance with all applicable laws, rules and regulations, to the satisfaction of the City Engineer; and
4. As the Project was previously to be served by a private sanitary sewer line and is now being offered for public dedication, which may result in further comments or changes to the plans, prior to the recording of the irrevocable Offer of Dedication, the Applicant shall meet and confer with City staff to receive comments regarding modifications, clarification or further information required with respect to the Sanitary Sewer Infrastructure.

BE IT FURTHER RESOLVED, this resolution shall not be construed as an acceptance of the offer of the Sanitary Sewer Infrastructure or any other materials or infrastructure and the City reserves the right to accept or reject the offer of the Sanitary Sewer Infrastructure upon any conditions as it deems appropriate.

Resolution No. 39 of 2024			Date: May 6, 2024				
<input type="checkbox"/> Amendments			<input type="checkbox"/> 2/3 Required				
<input type="checkbox"/> On roll call.			<input type="checkbox"/> 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake	x				
x		Amber Grant	x				
		Molly Rhodes	x				
		Jeffrey Domanski					x
		Pam Wetherbee	x				
	x	Dan Aymar-Blair	x				
		Mayor Lee Kyriacou	x				
		Motion Carried	x				