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April 25, 2023

Gregg Feigelson, Chairman
Town of Chester Zoning Board of Appeals
1786 Kings Highway
Chester, NY 10918

RE: BDA Properties LLC. – 215 Black Meadow Road / 6-1-102.1

I write to you on behalf of the Town of Chester Planning Board.

The above referenced applicant appeared before the planning board during its meeting of **April 19, 2023** seeking a **Revised Site Plan Approval**.

Accordingly, pursuant to NYS Town Code Section **280-a**, the applicant has been referred to your board for an interpretation and/or a variance as to whether:

1. The applicant needs a standard **280-a** variance to be issued by the ZBA
2. The applicant needs a **280-a section F** variance for access to a state county, local road by easement which requires a Town Board Action to declare an open data area on the above properties.

This matter is thus further referred to your board for consideration of a variance from this requirement should your board determine that you have the requisite jurisdiction to entertain this request given that the code provision at issue is not in the town zoning ordinance.

Thank you.

Very truly yours,

DONALD SEROTTA
TOWN OF CHESTER PLANNING BOARD
CHAIRMAN

cc: Town of Chester Planning Board