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November 14, 2019

Town of Chester  
1786 Kings Highway  
Chester, NY 10918

Dear Sir or Madam,

We write to enter into the record our opposition to the proposed new Local Law No. 3 of 2019 entitled “Entity Disclosure.”

This law will not serve its stated goal of avoiding conflicts of interest. To the contrary, the law has been designed to enable Town officials to more effectively engage in illegal discrimination.

As Council Member Ryan Wensley stated in advocating for this law, “it’s important for our neighbors to know who lives next to them.” Or as Supervisor Valentine said in his summation, the law is “critical” because “we have an ever-changing environment here in Chester.” Anyone who has attended Town meetings of the past two years will know what Mr. Valentine means—the specter of Hasidic Jews moving into the Town.

The stated legislative intent of the law is to ensure that an entity making a land-use application in the Town will have no conflict of interest as that term is defined in the New York Town Law and New York General Municipal Law.

A review of those codes shows that conflicts of interest exist when an applicant simultaneously has a decisionmaking role about his or her application.

Avoiding such conflicts is important. The best way to avoid such conflicts of interest is through strict ethical standards and requirements that public officials disclose all matters in which they have a private interest.

However, this aim does not justify forcing every private party to reveal details about themselves any time they seek to receive a permit to engage in lawful activities.

Private applicants—which is to say, the vast majority of all applicants—have no authority over their own applications, and are by definition not conflicted.

Requiring private applicants to disclose all affiliated persons, regardless of whether or not those persons hold public office, does not in any way serve the stated legislative intent of the proposed law.

Requiring such disclosure does, however, do a great deal to allow a governing body to respond to an application based on the identity of the petitioner rather than the content of their application.

In 2018, the then-Supervisor and Deputy Supervisor stated at a public meeting: “We are doing what we can to alleviate 432 Hasidic houses in the Town of Chester. We’re trying. Every Day.”

In such an environment, when the Supervisor says that this new law is critical because “we have an ever-changing environment here in Chester,” and another Council Member says that “it’s important for our neighbors to know who lives next to them,” their statements reveal the cynical motives behind the proposed law.

We note in closing that the proposed law, if enacted, would not apply to the Greens at Chester. The Settlement Agreement between the Town and our predecessor-in-interest specifically (a) prohibits the Town from enacting regulations affecting our property and (b) exempts our property from the effect of such regulations.

Yours Truly,

*Joseph Landau*

Joseph Landau

*Livy Schwartz*

Livy Schwartz

On behalf of Greens at Chester, LLC