***Dickover, Donnelly & Donovan, LLP***

**Attorneys and Counselors at Law**

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| **David A. Donovan**  **Robert J. Dickover**  ***Michael H. Donnelly, Retired***  Successor Law Firm To:  Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)  Ludmerer & Vurno, Esqs., Warwick, N.Y. |  | **28 Bruen Place**  **P.O. Box 610**  **Goshen, NY 10924**  **Phone (845) 294-9447**  *Dickover@dddllplaw.com*  **Fax (845) 294-6553**  (*Not for Service of Process)* |

December 16, 2020

Ms. Julie Tiller, Secretary

1786 Kings Highway  
Chester, NY 10918

Via email to: jtiller@thetownofchester.org

Re: Doellinger / Area Variance / 20 Twin Brooks Drive

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Dear Julie,

Enclosed is a legal notice for the Public Hearing on the above captioned matter scheduled for January 14, 2021. The following Publication, mailing, and posting actions are required:

*Publication*

Publication must occur on or before January 9, 2021 (at least five days before the hearing date) The Board shall submit a copy to a paper of general circulation in the Town for publication with enough time to meet the foregoing time limit. Pursuant to Town Chester Code § 98-38.A this publication is to occur in the official newspaper of the Town. Upon receipt of the affidavit of publication it should be filed and made a part of the application file.

*Posting*

On or before January 11, 2021 (at least three days before the meeting) a copy of this Notice must be posted in one or more designated public locations. [Public Officers Law § 104] An affidavit of posting by the person doing so should be filed and made a part of the application file.

*Mailing*

Before January 9, 2021 (at least five days prior to the hearing) the Board of Appeals shall cause a copy of the Notice to be mailed to the owners of all property which lie adjacent to that owned by the applicant in the immediate area and to all other owners as the Board of Appeals may deem advisable. I have heard the Board comment that the mailing is to be to all neighbors within 300 feet of the property which is the subject of the application as the names and addresses of said owners appear on the latest assessment roll of the Town. Proof of such mailings and receipts for same shall be filed with the Zoning Board prior to, or at the time of, said hearing. [Town Code § 98-38.A]

Before January 9, 2021 (at least five days before the hearing date) the Board must mail a copy of this Notice to the following, if applicable [NYS Town Law § 267-a.10]:

* To the applicant and any other party to the application.
* To the regional state park commission having jurisdiction over any state park or parkway within five hundred feet of the property.
* To the county planning department accompanied by a full statement of such proposed action, if the property is within five hundred feet of any of the following [NYS GML Section 239-m]:
* the boundary of any city, village or town; or
* the boundary of any existing or proposed county or state park; or any other recreation area; or
* the right-of-way of any existing or proposed county or state parkway, thruway, expressway, road or highway; or
* the existing or proposed right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines; or
* the existing or proposed boundary of any county or state-owned land on which a public building or institution is situated; or
* the boundary of a farm operation located in an agricultural district, as defined by article twenty-five-AA of the agriculture and markets law, except this subparagraph shall not apply to the granting of area variances.
* In addition, if Property lies within 500 feet of the boundary of another municipality (a village or town), the Secretary of the Board of Appeals shall:
* Transmit to the Municipal Clerk of such other municipality a copy of the Notice not later than one day after the day of publication thereof. [Town Code § 57-63.H]; and
* **Not Required** - If the application is for either a special use permit or the granting of a use variance a copy of this Notice shall be given by mail or electronic transmission to the clerk of the adjacent municipality at least ten days prior to any such hearing, i.e. before January 4, 2021. [NYS GML § 239-nn.3(a)]

*Additional Notice Provisions:* (Town Code 98-38.E.)

Prior to the date of any public hearing, the Secretary of the Board of Appeals shall transmit to the Chairman of the Planning Board a copy of any appeal or application, together with a copy of the notice of such hearing. The Planning Board may submit to the Board of Appeals an advisory opinion on said appeal or application at any time prior to the rendering of a decision by the Board of Appeals.

Please call if there are any questions in this regard.

Very truly yours,

Robert J. Dickover

TOWN OF CHESTER

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held on Thursday, January 14, 2021, at 7:00 PM or as soon thereafter as the matter can be heard to consider the appeal of Daniel & Julie Dollinger for a side yard area variance to Town of Chester Zoning Code Town Zoning Code § 98-16.C which requires that a pool shall be located at least 15 feet from any rear or side line of a premises. The applicant seeks to construct an in ground pool that will be 8 feet away from the side line of the premises. The property is located at 20 Twin Brooks Drive in the Town of Chester and shown generally on the tax maps of the Town of Chester as Sec. 24, Block 2, Lot 11.2, and is located within the AR-3 Zoning District. The meeting will be held via video conference. Due to the public health and safety concerns related to COVID-19, the Zoning Board will not be meeting in person. In accordance with the Governor's Executive Order 202.1 and 202.10 as amended and extended, the meeting may be held via videoconference. Physical attendance by the public at the meeting will NOT be permitted. The public may view the meeting live by logging into the following Zoom website address: <https://us02web.zoom.us/j/84902221722?pwd=NE1YbHhTRWY5Z0czZjBXdjI0d2s5dz09>. The meeting ID number is: 849 0222 1722. Passcode: 300152. Public comment can be made by videoconference using the zoom website platform and the chat function available on the website, or, by teleconference using the following phone numbers: One tap mobile

+19294362866,,84902221722#,,,,,,0#,,300152# US (New York)

+13017158592,,84902221722#,,,,,,0#,,300152# US (Washington D.C)

Dial by your location

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

Meeting ID: 849 0222 1722. Passcode: 300152. Find your local number: https://us02web.zoom.us/u/kd8b6DBZRg

Meeting materials can be viewed at the Town Building Department during business hours subject to COVID-19 closures. Written comment will be accepted prior to the meeting. Such comments may be submitted by email to: jtiller@thetownofchester.org or by regular first class mail addressed to: Town of Chester Zoning Board of Appeals, 1786 Kings Highway, Chester, NY 10918. As permitted by Section 104 of the Public Officers Law and Governor's Executive Orders, if the meeting is held by videoconference, individual Board Members may participate from remote locations. Consistent with the aforementioned Executive Orders, physical attendance by the public at said remote locations shall not be permitted. All persons interested shall be given an opportunity to be heard on issues raised on the appeal. If held by videoconference, a transcript will be posted on the Town’s website at a later date.

BY ORDER OF THE ZONING BOARD OF APPEALS OF THE TOWN OF CHESTER

Gregg Feigelson, Chairman