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May 5, 2015

Mr. Donald Serotta, Chairman
Planning Board of the Town of Chester
1786 Kings Highway
Chester, NY 10918

Re: Proposed Site Plan Amendment

Dear Chairman Serotta:

As you know, I represent E. Tetz & Sons, Inc. regarding its existing mining operation located in the Industrial District in the Town the Chester. On June 18, 2014, the Planning Board granted a 1-year approval of the trailer which has been used for decades as the scale house/office for the mining facility. The location of the trailer will not change. The trailer has been on the site for decades and, as such, most likely constitutes a nonconforming use not subject to Town of Chester zoning regulations. Additionally, on December 17, 2014, the Planning Board issued site plan approval for the current mine site which included the trailer at its current location.

Therefore, it is with abundance of caution and under a full reservation of rights that Tetz is requesting the one year extension of the Planning Board's June 2014 site plan approval of the trailer. I am enclosing the relevant correspondence regarding the trailer site plan approval in 2014 for your convenience. Once the trailer is located wholly within the mine site, the Mined Land Reclamation Law will govern the location and approval of the trailer. Until this occurs, Tetz will continue, under a full reservation of rights, to renew the Planning Board's approval of the trailer.

If you should have any questions or need additional information, please contact my office or Gary Tetz.

Very Truly Yours,

Rosemary Stack

Rosemary Stack, Esq.

Cc: Gary Tetz, VP