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November 19, 2019

Town of Chester
1786 Kings Highway
Chester, NY 10918

Dear Sir or Madam:

This letter is submitted as a public comment on the proposed new local law No. 2 of 2019 entitled “Noise Pollution Control.”

We have no objection per se to a noise ordinance. However, the story of this particular noise ordinance illustrates how the process of governing at the local level can be perverted when discreditable aims are brought into the picture.

The genesis of the noise ordinance appears to be the August 28, 2019 Town Board meeting at which complaints were lodged by two neighbors of Camp Monroe, the decades-old summer camp site in Chester that was reportedly acquired recently by an Orthodox Jewish congregation.

The complainants spoke of people at the camp “yelling on [the PA system] for no reason”; being “intrusive to our lifestyles”; “ask[ing] one of my neighbors to not run with a tank top” (no one has stepped forward or been identified as the person to whom this was done); displaying “nasty behavior”; conducting themselves in a manner “that is not how people should live”; “speeding on the road and leaving trash all over the place; and “gangs of young boys walking through our neighborhood which is not their camp . . . it’s intimidating.”

Despite the fact that, as Supervisor Valentine stated, “There just hasn’t been a noise ordinance in Chester historically,” and even though a noise ordinance was actually considered and rejected several years ago, Council members responded that they would look into addressing the Camp Monroe problems through a noise ordinance. Members of the Town Council took up the matter with the Town Attorney and duly introduced a draft ordinance shortly thereafter.

That such shrill and unfounded notions can serve as the basis of new legislation shows the degree to which a feared Orthodox Jewish presence in Chester catalyzes Town actions. But even more instructive is what followed.

At the November 13, 2019 Chester Town Meeting, at the session dedicated to public comments about the proposed law, Chester residents and business owners came out in droves to protest the noise ordinance. Gun hobbyists from the Chester Sporting Club protested that the ordinance would put an end to their leisure activities. Dairy farmers protested that they would not be able to milk their cows. Many other businesses registered similar protests. Several residents pointed out that the prohibition on operating heavy machinery before 8 am ordinance meant they would be unable to clear snow from their driveways in the winter in time to leave for work.

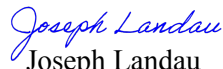
The negative response to the law was so overwhelming that the Town Board promised to go back and revise the text and hold open the comment period for a further 30 days.

This entire episode illustrates how the desire to “keep the Hasidic out” can cloud judgment and drive ill-considered ideas.

A final comment on one specific aspect of the law. The section prohibiting construction before 8 am on weekdays is more restrictive than most such ordinances in neighboring towns and throughout New York state, which tend to allow construction to begin at 7 am on weekdays. As you may know, the work hour from 7 am to 8 am is critical for construction crews, particularly during winter when light hours are scarce and during summer when crews prefer to perform certain jobs before the midday heat.

In this context, it bears repeating that the Settlement Agreement between the Town and the predecessor-in-interest of Greens at Chester LLC specifically (a) prohibits the Town from enacting regulations affecting the Greens and (b) exempts the Greens from their effect.

Yours Truly,


Joseph Landau