



**TOWN OF OSSINING  
BUILDING & PLANNING DEPARTMENT**

101 ROUTE 9A, P.O. Box 1166

OSSINING, N. Y. 10562

PHONE: (914) 762-8419 FAX: (914) 944-0195

Website [www.townofossining.com](http://www.townofossining.com) & Email [bdgdept@townofossining.com](mailto:bdgdept@townofossining.com)

RECEIVED

FEB 24 2020

Town of Ossining  
Building & Planning Department

**APPLICATION TO THE ZONING BOARD OF APPEALS**

Date February 21, 2020

I, We Bethany Arts Community / David Lyons Of 40 Somerstown Road  
(Name of Applicant) (Street)

Ossining N.Y. 10562 914-815-0512 : HEREBY  
(Municipality) (State) (Zip Code) (Phone No.)

- ( ) APPEAL TO THE ZONING BOARD OF APPEALS FROM THE DECISION OF THE BUILDING INSPECTOR AND IN CONNECTION THEREWITH REQUEST
- ( ) an Interpretation of the Zoning Code or Zoning Map of the Town of Ossining
- ( ) a Variance from the terms of the Zoning Code of the Town of Ossining, or
- ( ) a Temporary Certificate of Occupancy.

APPLY TO THE ZONING BOARD OF APPEALS FOR A SPECIAL PERMIT.

1. **LOCATION OF PROPERTY:** 40 Somerstown Road, Ossining, N.Y. 10562  
(Street and Number)

SECTION 90.10 BLOCK 3 LOT 27 ZONE R-40

A) Is the Property located within a distance of 500 feet of the boundary of any village, town or county, or any boundary of a State park or parkway?  
If yes, specify. The Property is approx. 285 Ft. from Village of Ossining Boundry Yes X No \_\_\_\_\_

B) Does the Property abut the boundary of any village or town, the boundary of any State or County park or other recreation area, the right-of-way of any stream or drainage channel owned by the county or for which the county has established channel lines, or the boundary of any county or State owned land on which a public building or institution is located? If yes, specify.  
Yes \_\_\_\_\_ No X

C) If a Special Permit is being applied for, is the property shown on the Hudson River Valley Commission Jurisdiction Map?  
Yes \_\_\_\_\_ No X

2. **PROVISION (S) OF THE ZONING CODE INVOLVED:**

Section 200-7 subsection B paragraph 2

Section 200-45 subsection C paragraph \_\_\_\_\_

Section \_\_\_\_\_ subsection \_\_\_\_\_ paragraph \_\_\_\_\_

3. **DESCRIPTION OF RELIEF REQUESTED** (Set forth the circumstances of the case, interpretation that is claimed and details of any variance applied for. Use extra sheet if necessary.)

This application is filed for the purpose of obtaining a new Special Permit allowing for the staging of outdoor Art Exhibits & on the Grounds of Bethany Arts Community.

4. **REASON FOR APPEAL** (State precisely grounds on which it is claimed that relief should be granted. Use extra sheet if necessary.)

A Special Permit is sought to allow for the staging of special Art Exhibits & Shows during the period of time between early-to-mid Spring and late Fall. Please see attached brief narrative provided by Bethany Arts Community.

5. Enclose 10 copies of an accurate and intelligible plan of the Property drawn to a suitable scale and a nonrefundable fee of **\$250.00**

  
\_\_\_\_\_  
(Signature of Property Owner or Authorized Agent)

## PROPOSED USE OF BETHANY GROUNDS

We, BAC, are requesting a modification to the existing permit use for our property at 40 Somerstown Rd. that will enable BAC to enhance its mission of making the art experience accessible and inclusive of the community as a whole.

Additional uses would include, Summer camps designed with creativity its main focus. Working with Theater O we would like to offer a unique experience not only for local children but include 10 scholarships for children for, River Fund, an organization on the front lines of poverty in Queens, getting kids out of the city. An outdoor children's theatre camp would be offered.

Using the walking trail for art exhibits would allow the community, individuals, schools, etc. to experience art close up, not 25 feet away behind a velvet rope. Collaborating with Eco friendly organizations to create awareness of our environment. BAC was contacted to become part of a trail system leading from Ryder Park through Bethany to the Briarcliff-Peekskill Trail and Teatown Reservation.

Another enhanced use but not limited to would be to expand the offerings of Artoberfest. A day of different interactive artistic experiences for all ages that by all accounts not only brought a new people to Ossining, was enjoyed by the local community.

To compliment the orchard and Beehives we would like to use various parts of the property for gardens. From a community garden directly involving our neighbors to a Seed To Belly Program which could include local food pantries and the school system.

Cultivating the use of the property will only benefit the local community, moms taking their kids for a walk on the trail experiencing art within nature, the community at large, River Fund kids, the young and old, family friendly Artoberfest, the schools, outdoor afterschool programs, and beyond.

All and any of events that would occur outside will happen only during daylight hours in keeping the immediate neighbors in mind. Bethany will continue to implement a "when in doubt reach out" mentality and work closely with Mr. Hamilton or designated Building Dept. representative with any questions about the use.

Thank you for your time in this matter.

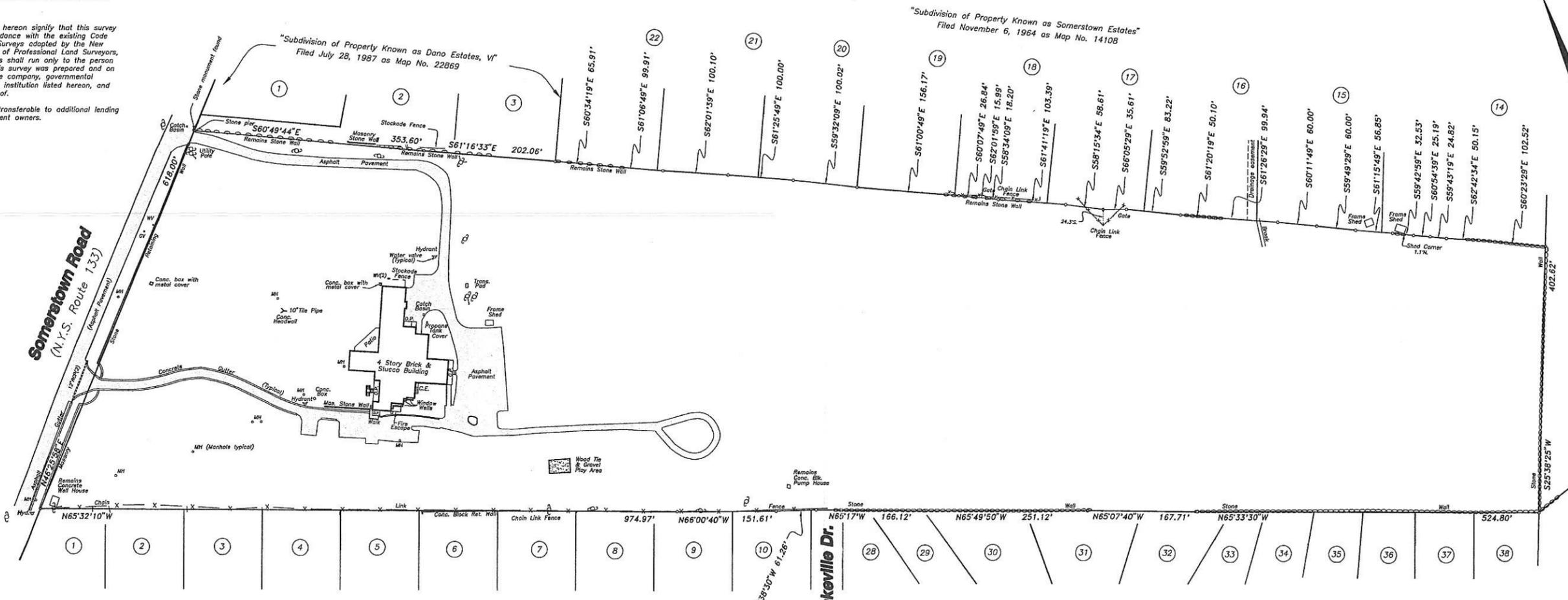
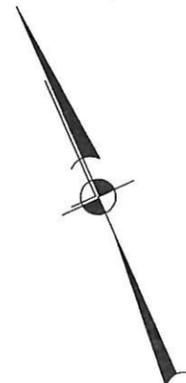
David Lyons

TITLE NO. BTA73058  
 CERTIFIED TO: Bethany Arts Community, Inc.  
 Stewart Title Insurance Company  
 Benchmark Title Agency, LLC

Underground structures, if any exist, are not shown hereon, except as noted. The location of underground improvements or encroachments are not always known and often must be estimated. If underground improvements, easements, or encroachments exist and are neither visible during normal field survey operations nor described in instruments provided to this surveyor, they may not be shown on this map and are not certified.

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by the New York State Association of Professional Land Surveyors, Inc. Said certifications shall run only to the person or entity for whom this survey was prepared and on their behalf to the title company, governmental agency and/or lending institution listed hereon, and to the assignees thereof.

Certifications are not transferable to additional lending institutions or subsequent owners.



Property corner monuments were not placed as part of this survey.  
 This map may not be used in connection with a "Survey Affidavit" or similar document, statement or mechanism to obtain title insurance for any subsequent or future grantees.  
 Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 7209, sub-division 2, of the New York State Education Law.

"Subdivision of Portion of Property Known as Ryder Park Homes - Section No. 1"  
 Filed August 5, 1960 as Map No. 12504

"Subdivision of Property Known as Arden Development #2 Corp. Section No. 2"  
 Filed August 23, 1962 as Map No. 13395

According to NYSAPLS policy adopted January 23, 1993, the alteration of survey maps by anyone other than the original preparer is misleading, confusing and not in the general welfare and benefit of the public. Licensed Land Surveyors shall not alter survey maps, survey plans, or survey plats prepared by others.  
 FIELDWORK COMPLETED: July 24, 2015  
 MAP PREPARED: July 29, 2015

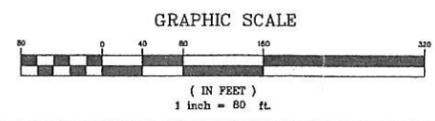
This property may be affected by instruments which have not been provided to this surveyor. Users of this map should verify title with their attorney or a qualified title examiner.  
 Only copies from the original of this survey marked with the surveyor's embossed seal are genuine, true and correct copies of the surveyor's original work and opinion. A copy of this document without a proper application of the surveyor's embossed seal should be assumed to be an unauthorized copy.

Area = 24.742 acres

**Survey of Property**  
 Prepared for  
**Bethany Arts Community, Inc.**  
 Situate in the  
**Town of Ossining**  
**Westchester County, New York**

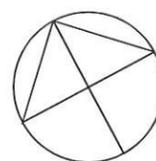
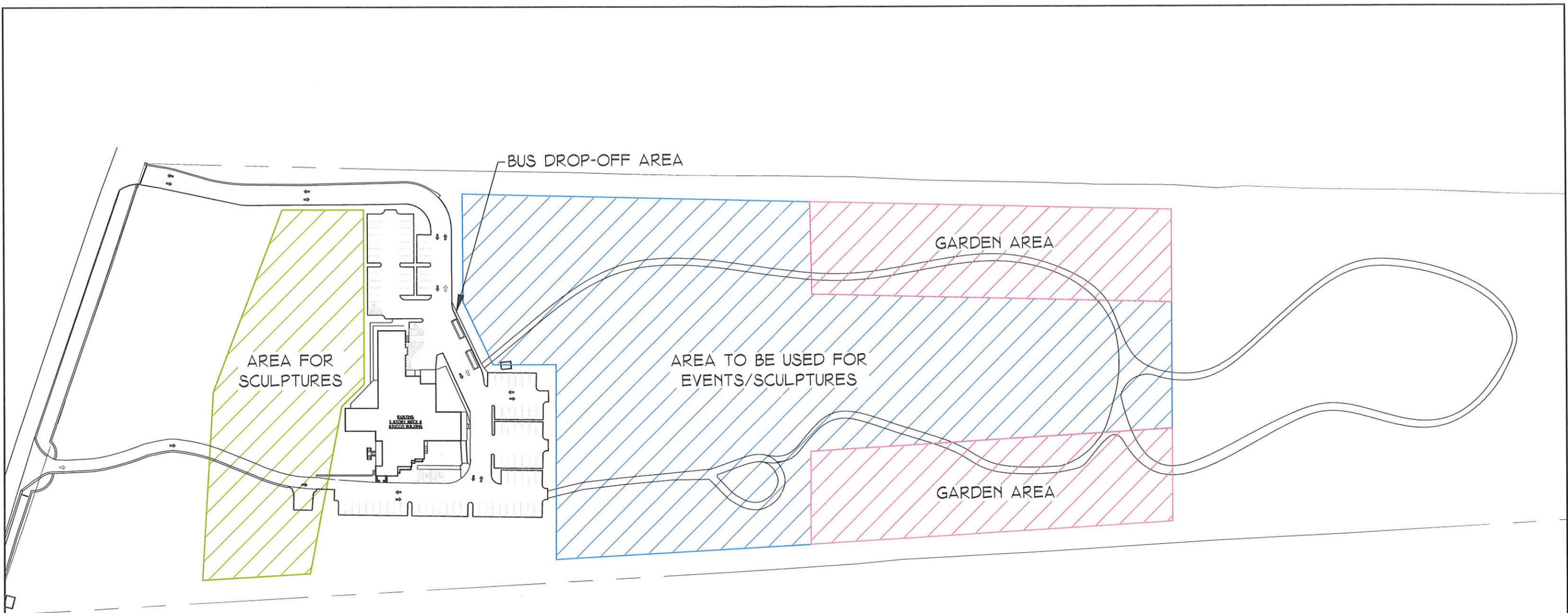
Scale 1" = 80' Date: July 29, 2015

**INSITE**  
 ENGINEERING, SURVEYING &  
 LANDSCAPE ARCHITECTURE, P.C.  
 3 Garrett Place • Carmel, New York 10512  
 Phone (845) 225-9690 • Fax (845) 225-9717  
 www.insite-eng.com



JEFFREY B. DeROSA, LS  
 New York State License No. D50749  
 © 2015 Insite Engineering, Surveying & Landscape Architecture, P.C. All Rights Reserved.

15235.200 T580-12  
 Bethany Arts Com.dwg



**SITE PLAN**

PROPOSED PARTIAL SITE PLAN

N.T.S.

NOTE: SCULPTURES & GARDEN TO BE USED YEAR-ROUND

 PROPOSED SEASONAL EVENTS.  
TIME: 8:00 AM - 9:00 PM



ARQ. HT DESIGN GROUP INC.  
**ARQ**  
ARCHITECTURE - PLANNING

**ARQ. HT Design Group**  
Architecture-Planning  
© ALL RIGHTS RESERVED  
100 EXECUTIVE BLVD, SUITE 205  
OSSINING, NY 10562 (914) 944-3377 FAX (866) 567-6240

DRAWN	DATE
ARQ	MARCH 3, 2020

SHEET TITLE
SITE PLAN
JOB TITLE
14 NORTH BROADWAY TARRYTOWN, NY 10591

SCALE	AS SHOWN
REVISED	JOB NO. 16004
	DRAWING