



TOWN OF OSSINING
BUILDING & PLANNING DEPARTMENT
101 ROUTE 9A, P.O. BOX 1166
OSSINING, N. Y. 10562

PHONE: (914) 762-8419 FAX: (914) 290-4656

Website www.townofossining.com & Email bldgdept@townofossining.com

RECEIVED

MAR 21 2025

Town of Ossining
Building & Planning Department

APPLICATION TO THE ZONING BOARD OF APPEALS

I, We Amy & MARK SEIDEN of 49 Croton Dam Road Date 3/20/25
(Name of Applicant) (Street)
Ossining NY 10562 914-844-6176 markhome@home.com.net
(Municipality) (State) (Zip Code) (Phone No.) (Email) : HEREBY

() 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:** 49 Croton Dam Road
(Street and Number)

SECTION 89.08 BLOCK 1 LOT 79 ZONE R-15

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.

Yes _____ No X

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 subsection 26 paragraph A(2)

Section _____ subsection _____ 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.)

(1) up to 15 chickens
(2) up to 2 Roosters, if allowed -
if not, then just chickens

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

Required Process per Zoning Code

5. Enclose 10 copies and 1 pdf version of an accurate and intelligible plan, survey, location map, of the Property drawn to a suitable scale email to bldgdept@townofossining.com and a nonrefundable fee of \$350.00 payable to Town of Ossining.


(Signature of Property Owner or Authorized Agent)

Chapter 200. Zoning

Article V. Supplementary Regulations

§ 200-26. Animals.

[Added 4-22-1975 by Ord. No. 84]

- A. In any residence district, the following animals may be harbored, kept and/or raised for the sole benefit and use of the occupants of the principal dwelling only, as an accessory use to a principal use:
- (1) Dogs, cats and similar small animals usually maintained as household pets within the principal dwelling and rabbits, poultry and similar small domestic animals, occasionally maintained as pets but usually maintained outside of a residence as farm animals, provided that there shall be a maximum of four such animals over the age of six months on lots of 1/4 acre or more and a maximum of two such animals over the age of six months on lots less than 1/4 acre.
 - (2) On parcels of two acres or more, by special permit issued by the Zoning Board of Appeals in accordance with the provisions of Article IX:
 - (a) More than four dogs, cats, rabbits, poultry and other similar animals over the age of six months; and
 - (b) Provided that the number thereof shall not exceed the following per acre, in any combination thereof: one horse, one cow, one steer or six sheep.]
- B. Bees. In any zoning district, the keeping of bees shall be permitted by permit through the Town Clerk's office and issued by the Building Inspector or designee, subject to the following rules and regulations:
[Amended 1-26-2021 by L.L. No. 1-2021]
- (1) Hive registration.
 - (a) All honeybee colonies shall have their location and number of hives registered annually with the Town of Ossining by the beekeeper according to terms and conditions set forth by the Town Board, including establishing a fee structure and permitting process.
 - (b) The purposes of such registration are to maintain a record of the number and location of each hive, to obtain the most current contact and credential/education information in connection with each beekeeper and to obtain a certification from each beekeeper acknowledging receipt of a copy of this article and the most current rules and regulations that may be promulgated pursuant to this section. A beekeeper shall provide the Town any updates to the information contained in the annual registration within 10 days of any change, including but not limited to the abandonment or change in location of any hive.
 - (2) Hive type. All bee colonies shall be kept in appropriately sized, designed and maintained hives with removable frames, Langstroth type or the equivalent, which shall be kept and maintained at all times in sound and usable condition.
 - (3) Colony location.
 - (a) No hives are permitted in the required front yard setback.
 - (b) A dimensioned sketch showing location and distances on the plot as well as other parameters identified in Subsection B shall be included with the permit.
 - (4) Control barrier. The beekeeper must establish a flyaway barrier adjacent to hives encouraging the bee flight path away from the property. It can be solid, vegetative or any combination of the two that forces the bee's flight path in a desired direction according to best practices.
 - (5) Food. Each beekeeper shall ensure that a convenient source (within the hive property or near the hive or hives) of food that consists of pollinator species is provided for the hive or hives. The plants shall consist of a variety of pollinator species that will provide blooms throughout the growing season.
 - (6) Water. Each beekeeper shall ensure that a convenient source (near the hive or hives) of water is available to the bees in sufficient quantity as a function of number of hives, specifically at any time during the year when temperatures are regularly 50° F. or higher and the bees are active.
 - (7) Purchasing and keeping of bees and queens; honeybee genetics and defensive behavior.
 - (a) Any colony of honeybees exhibiting defensive or angry behavior must be addressed immediately. The beekeeper will make every effort to minimize colony disruption after the defensive or angry behavior determination. The beekeeper will also use good practices to minimize/prevent a defensive colony swarming. Beekeepers must engage in all appropriate best practices to avoid creating a beekeeping-related nuisance. Guidance concerning examples of nuisance activity in the field of beekeeping includes the following illustrative, as opposed to comprehensive, list:
 - [1] Bees from bee colonies that injure or threaten injury to persons, domestic pets, or property;
 - [2] The presence of bees from bee colonies on neighboring or nearby properties in significant quantities;
 - [3] Bees from bee colonies that engage in aggressive, swarming or similarly objectionable behavior;
 - [4] A bee colony housed in a hive which is placed so that the hive or bee movement to/from such hive unreasonably interferes with pedestrian traffic or persons residing on or adjacent to the property upon which such hive is located;
 - [5] A hive which is overcrowded, diseased, abandoned or maintained in any condition or location where the bee colony cannot thrive.
 - (b) All existing and new colonies will be managed to meet the spirit and intent of these provisions in the judgment of the Building Inspector or their designee, who retain the authority to revoke the beekeeping permit if these standards are not met.
 - (8) Absence. The beekeeper shall maintain a log on site recording significant hive activities (such as disease infestation). If the beekeeper does not reside on the property, or plans to be away, he/she or a knowledgeable representative shall be available to visit during the months of higher bee activity. The beekeeper shall provide contact information in case of an emergency.
 - (9) Use secondary, accessory and incidental to residential zoning districts. Irrespective of whether a lot upon which beekeeping is proposed is improved by a dwelling or not, beekeeping as permitted herein is to be considered secondary, accessory and incidental to the underlying potential residential use, as contrasted with a commercial use. Factors to be considered in determining whether the use is secondary, accessory and incidental, versus commercial, include the following:
 - (a) That processing, bottling, labelling, shipping, or sale on site shall be limited to the product of the bees on site. Honey produced off site shall not be brought on site for sale or distribution.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information																		
Name of Action or Project: MARK and Amy Seiden chicken Coop																		
Project Location (describe, and attach a location map): Chicken Coop and enclosed Run																		
Brief Description of Proposed Action: 49 Croton Dam Road, OSSINING, NY 10562																		
Brief Description of Proposed Action: Add chicken Coop and an enclosed Run for 15 chickens and, if allowed, 2 Roosters																		
Name of Applicant or Sponsor: Mark Seiden		Telephone: 914-844-6176																
		E-Mail: MARKH@ME@HOMENET.NET																
Address: 49 Croton Dam Road																		
City/PO: OSSINING		State: NY	Zip Code: 10562															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐											
NO	YES																	
☒	☐																	
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐											
NO	YES																	
☒	☐																	
3. a. Total acreage of the site of the proposed action?		2.1879 acres																
b. Total acreage to be physically disturbed?		2.206 acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		260# (20'x13')																
4. Check all land uses that occur on, are adjoining or near the proposed action: <table style="width: 100%;"> <tr> <td>☐ Urban</td> <td>☐ Rural (non-agriculture)</td> <td>☐ Industrial</td> <td>☐ Commercial</td> <td>☒ Residential (suburban)</td> </tr> <tr> <td>☐ Forest</td> <td>☐ Agriculture</td> <td>☐ Aquatic</td> <td colspan="2">☐ Other(Specify):</td> </tr> <tr> <td>☐ Parkland</td> <td colspan="4"></td> </tr> </table>				☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☐ Commercial	☒ Residential (suburban)	☐ Forest	☐ Agriculture	☐ Aquatic	☐ Other(Specify):		☐ Parkland				
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☐ Forest	☐ Agriculture	☐ Aquatic	☐ Other(Specify):															
☐ Parkland																		

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: <u>Property's Septic System</u>	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline	☐ Forest	☐ Agricultural/grasslands
☐ Wetland	☐ Urban	☒ Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☒	YES ☐
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☒
Already on property		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO ☒	YES ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>MARY J. SEIDEN</u> Date: <u>3/20/2025</u>		
Signature: <u>[Signature]</u> Title: <u>OWNER</u>		



Proposal

Date	Estimate #
3/18/2025	2018-11702

Name / Address
Mark Seiden 49 Croton Dam Rd Ossining, NY 10562

PO Box 1940
Ossining, NY 10562

info@davesfences.com

www.davesfences.com

Description	Rate	Total
We hereby propose to furnish the materials and perform the labor necessary for the installation of: one 20ft long by 13ft wide by approximately 8ft high chicken coop enclosure using 1x4 cedar boards and frame 1"x1" black welded wire mini mesh and to erect roof using 4X4 pressure treated posts. enclosure will have one 3ft wide entry gate on left side next to chicken coop and storage shed ; also include one 4ft wide gate on opposite side with a 4 ft wide pergola. Over chicken coop, Will install 6 ft wide x 13 ft long corrugated metal roof for chickens. All posts will be 4"x4" pressure treated and will have cedar pyramid caps All posts will be set 2 1/2 feet deep in concrete. 50% Deposit Required / Balance Due Upon Completion All prices quoted are valid for 30 days from the date of stated on the proposal All installation dates are subject to change according to weather FINAL PAYMENT IS DUE THE DAY OF COMPLETION OF JOB		

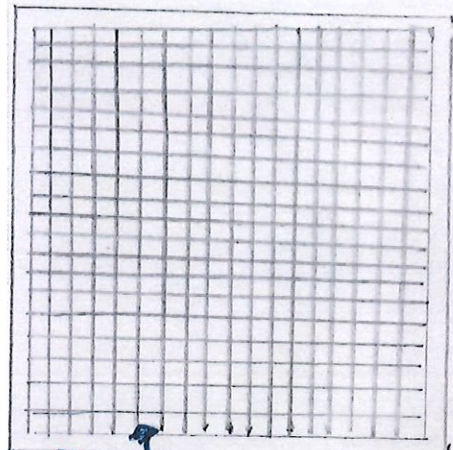
Dave's Fences is a proud member of the Better Business Bureau. We are fully licensed and insured. A specific rider in your name will be provided per your request. Fence will be installed in the location you specify. We are NOT responsible for incorrect location. Additionally, homeowner is responsible for obtaining all permits, if required. Any changes or additions will incur additional charges. Work will be started as outlined in our proposal, weather permitting. Special orders require additional time. Your job will be scheduled upon receipt of the 50% deposit, signed contract, materials and acceptance. Contract balance is due upon job completion.

Total

ACCEPTANCE OF PROPOSAL

I have read, accepted, and signed the terms and conditions included with this proposal. The above prices, specifications and conditions are satisfactory and hereby accepted, Dave's Fences is authorized to do the work as specified. Payments will be made as outlined with proposal. I understand we have the right to cancel this contract within 3 business days of acceptance

Date _____ Signature _____ Print Name _____



8 Ft High

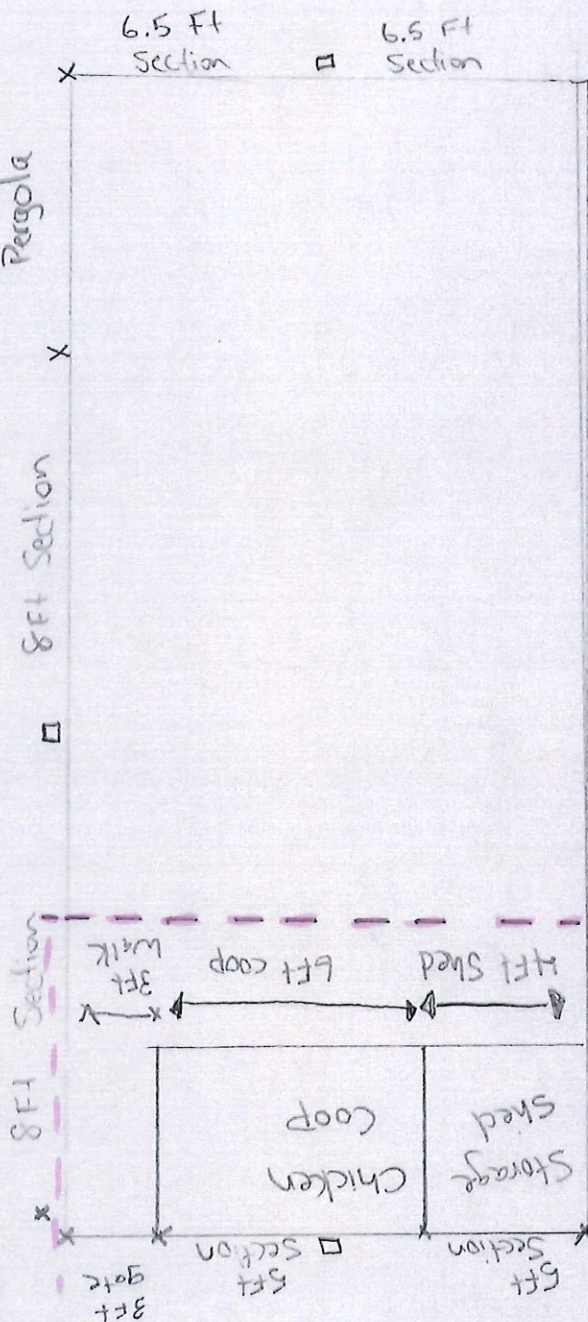
13 Ft wide interior

- 1x4 Cedar top boards
- 1x4 Cedar boards
- 1x1 Black welded wire
- 4x4 Pressure treated Posts

2.5 ft in concrete

20 Ft Wide interior

4 Ft Gate with Pergola



6 Ft wide slopped
Corrugated Metal roof

Mark and Amy Seiden
49 Croton Dam Road, Ossining, NY 10562

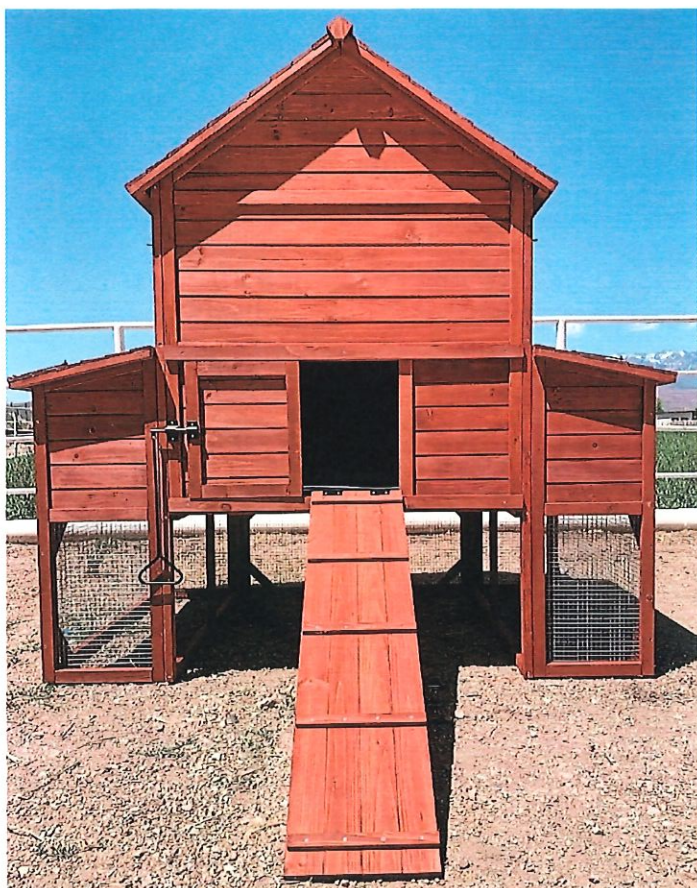
Sample Style Chicken Coop to be **considered for purchase.**
To be **installed within** the 13' x 20' Chicken Run Enclosure

Rhode Island Homestead XL 10+ Chickens Hen House

Hen House:

65.5 inches wide x 67 inches tall x 42 inches long

Interior Space: 19.25 sq ft



TOWN OF OSSINING, NY

FREDERICK P. CLARK ASSOCIATES, INC.
Planning, Transportation, Environment and Development

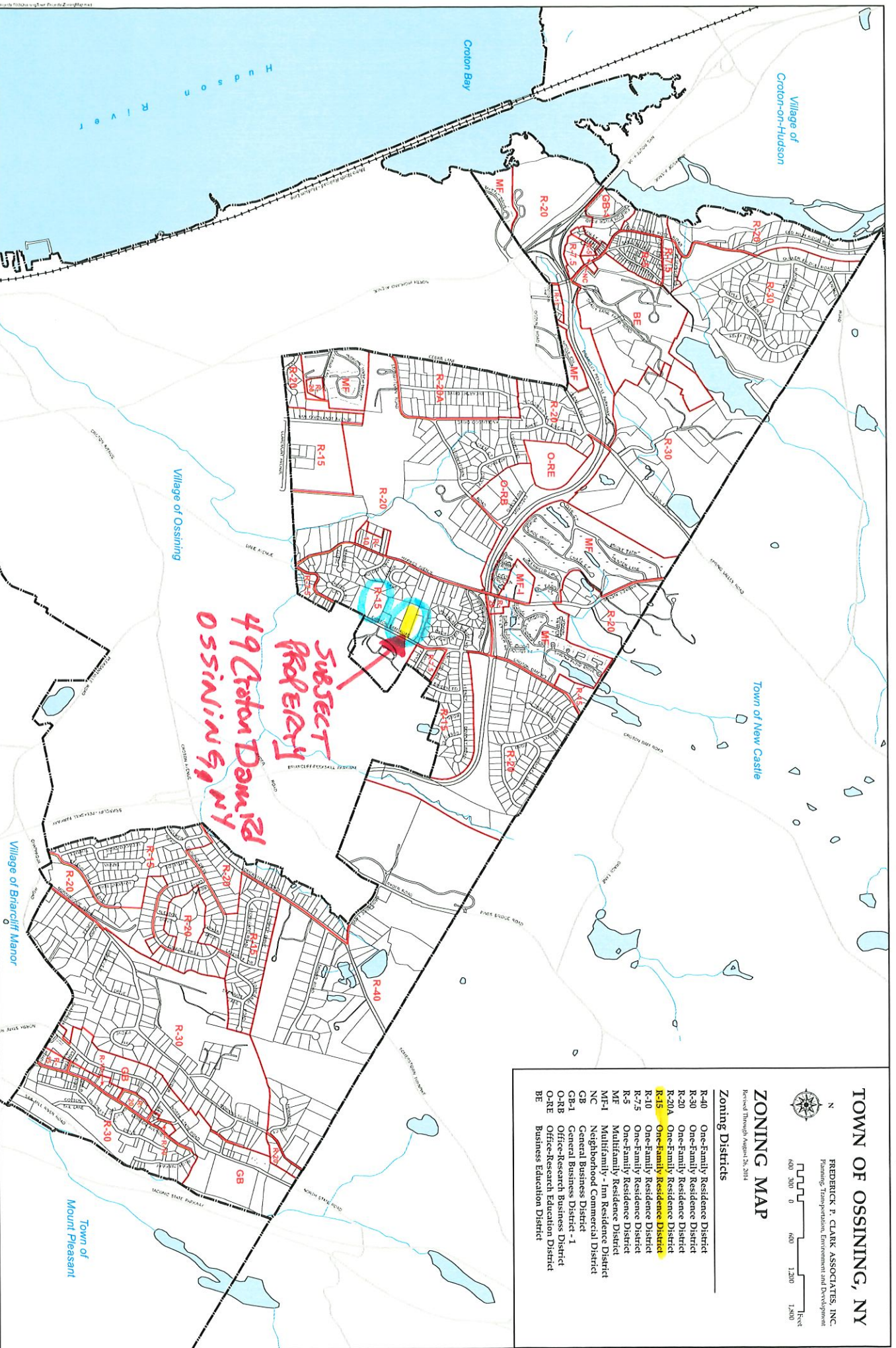


ZONING MAP

Revised Through August 26, 2014

Zoning Districts

- R-40 One-Family Residence District
- R-30 One-Family Residence District
- R-20 One-Family Residence District
- R-20A One-Family Residence District
- R-15 One-Family Residence District**
- R-10 One-Family Residence District
- R-7.5 One-Family Residence District
- R-5 One-Family Residence District
- MF-1 Multifamily - 1m Residence District
- NC Neighborhood Commercial District
- GB General Business District
- GB-1 General Business District - 1
- O-RB Office-Research Business District
- O-RE Office-Research Education District
- BE Business Education District



ZONING

200 Attachment 2

BULK REGULATIONS FOR ONE-FAMILY RESIDENCES IN THE R-40, R-30, R-20, R-20A, R-15, R-10, R-7.5 and R-5 DISTRICTS [Amended 3-9-1993 by L.L. No. 3-1993; 4-12-2011 by L.L. No. 1-2011]

Minimum Requirements	R-40	R-30	R-20	R-20A	R-15	R-10	R-7.5	R-5
Lot areas (square feet)	40,000	30,000	20,000	20,000	15,000	10,000	7,500	5,000
Lot width (feet)	150	125	100	90	90	75	60	50
Lot depth (feet)	150	150	130	130	120	100	100	80
Front yard (feet)	40	35	30	30	30	25	25	25
1 side yard (feet)	20	18	16	16	14	12	10	8
Both side yards (feet)	42	38	34	34	30	26	22	18
Rear yard (feet)	38	36	34	34	32	30	28	26
Livable floor area per dwelling unit (square feet)	850	850	850	850	850	850	750	750
Maximum Permitted								
Building height								
Stories	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2	2 1/2
Feet	35	35	35	35	35	35	35	35
Building coverage (percent)	18	20	22	22	25	27	30	30