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October 17, 2022

Martin Rogers, Director of Code Enforcement
 Town of Cortlandt
 Town Hall
 1 Heady Street
 Cortlandt Manor, New York 10567

Mary Kate Ephraim
 Jad Haddad
 A.J. Luele

Re: *Application of The Gurdjieff Foundation, Inc. for the property of the Danish Home for the Aged, Inc. located at 1065 Quaker Bridge Road East*

OF COUNSEL
 Joan F. Garrett**

Dear Mr. Rogers:

PARALEGALS
 Elizabeth Amicucci
 Jennifer Arno
 Ailana Brown
 Jillian Medina
 Alison Secor

We represent The Gurdjieff Foundation, Inc. (hereinafter, "Foundation"). The Foundation is in contract to purchase the property located at 1065 Quaker Bridge Road East, a 48-acres parcel with several structures, located in the R-80 zoning district (hereinafter "Property"). The Foundation is a not-for-profit corporation, recognized as tax exempt under Section 501(c)(3) of the Internal Revenue Code, because it is organized and operated exclusively for charitable purposes.

CLOSING COORDINATORS
 Maria L. Jones
 Sandra A. Turner

We are requesting a written determination that the Foundation's proposed use of the Property, constitutes a "non-school curriculum program", under the category of Private Nature Preserve/ Private Nature Preserve Users (hereinafter, "Curriculum Use"), a permitted use, subject to a special use permit and site plan approval by the Planning Board.¹

*ALSO ADMITTED IN FL & MA
 **ALSO ADMITTED IN CT

As you are aware, the Foundation originally pursued its application to the Planning Board as a Curriculum Use. Based upon arguments made by Brad Schwartz, Esq., on behalf of the unidentified "Teatown Alliance", the Foundation withdrew its application for approval as a Curriculum Use, without prejudice.

¹ The Foundation preserves its pending appeal to the ZBA that the proposed use is permitted as of right as a "Church or other place of worship and religious instruction, parish house, rectory or convent and nursery school," under the category of "Institutional, Recreational and Public Uses.", and/or is permitted as a pre-existing non-conforming use, which is scheduled for a continued public hearing on October 25, 2022.

However, further examination of the Town Code, and consideration of the valuable input from the public at the public hearing before the ZBA on September 27, 2022, illuminated that the Curriculum Use also truly encapsulates the mission and activities of the Foundation.

The Town of Cortlandt Code (hereinafter, “Code”) does not define non-school curriculum program. In the absence of a definition, a dictionary definition is used.

The definition of “Private Nature Reserve”² in the Code is as follows:

A parcel of land open to the public, with structures and/or other facilities owned and operated by a not-for-profit organization and dedicated to the promotion of greater public understanding, awareness and appreciation of the natural environment through environmental and agricultural education programs and passive recreational activities.

The Foundation’s Certificate of Incorporation states that the purposes for which it is formed are to collect and receive “property, and to use the same, including any income accrued thereon from time to time, to foster the study of the problem of evolution of man and his harmonious self-development and his place in the universe, in accordance with the system of ideas taught by G. Gurdjieff and recorded by P.D. Ouspensky...”. The “system of ideas taught by G. Gurdjieff” are grounded in religion and the activities at the Property will teach and implement those religious ideas.

Enclosed is a summary of the proposed use of the Property. As stated in the enclosed summary, the Foundation intends to preserve and sustain the Property as an architectural, environmental and neighborhood asset, aiming to maintain the building and grounds to provide an atmosphere of quiet and contemplation.

The Foundation will work with the Planning Board to establish possible conditions of the special use permit which promote a public benefit.

Many of the adjacent owners of the Property spoke at the public hearing held by the ZBA on September 27, 2022. A common theme of their remarks, all in support of the Foundation’s proposed use of the Property, was that the integrity of the grounds will be preserved by the Foundation.

If you determine the Foundation’s proposed use of the Property is permitted as a non-school curriculum program, it is anticipated the unidentified “Teatown Alliance” will attempt to appeal that determination. To do so, it must establish the standing of its individual members. We ask that you, along with the Town Attorney, make that threshold determination and reject the appeal, if standing is not established.

² The Table of Permitted Uses uses the term “Private Nature Preserve”. The definition uses the term “Private Nature Reserve”. It is unknown whether there is a distinction or whether it is simply a typographical error.

Thank you for your consideration. Please feel free to contact me with any questions.

Very truly yours,

STENGER, DIAMOND & GLASS, LLP

Karen E. Hagstrom

KAREN E. HAGSTROM

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KEH/jm

cc: Michael J. Cunningham, Esq.
Chris Kehoe, AICP
client

The intent of the Gurdjieff Foundation is to preserve and sustain the Danish Home property as an architectural, environmental and neighborhood asset that can serve as a location for the activities of its members. To support those activities, the Foundation aims to maintain buildings and grounds to provide an atmosphere of quiet and contemplation. The Foundation centers its work on the study of the methods and teachings of G.I. Gurdjieff. He was an author, teacher and musician, whose ideas were influenced by various ancient cultural and religious sources. Central to this philosophy is a focus on the individual human being in relation to others and all the influences of life. The Foundation's membership consists primarily of adults between the ages of 45 through 70 years old, generally from professional backgrounds such as doctors, lawyers, engineers, architects, educators and artists.

The program undertaken by the Foundation includes workshops on the study of these ideas and practical application, along with the study of movement, creative arts and crafts. The activities are based on the concepts of self-help and self-awareness to promote a more humane manner of interacting with oneself and the world.

The activities, programs and workshops that the Gurdjieff Foundation anticipate taking place on the property will mostly be several days in duration. Most weekends would begin on Friday evening and end mid-day Sunday. Weeklong programs are generally from Saturday to Saturday, or Sunday to Sunday. There may also be some single day activities, typically from 9:00 in the morning to 5:00 in the afternoon. These activities would generally have between 20 and 100 participants. That number includes people taking care of cooking, housekeeping and other necessities. We don't anticipate having more than 75 people sleeping at the property, exclusive of residents in the caretaker's house. We may also have weekday meetings, typically twenty people or less, generally in the evening.

Foundation events, whether week-long events in the summer or shorter weekend events, usually follow a similar schedule. Several members will plan the event, decide on a program and determine who will attend. Participants typically arrive in the late afternoon or early evening. Some come earlier to help with preparations for the event, which might include cooking and receiving deliveries from local vendors. Once everyone arrives they will typically share a meal and a period of meditation before retiring for the night.

Each day usually begins with meditation and breakfast for everyone. After eating, participants divide into different groups, taking care of practical necessities, caring for the grounds, or working together on crafts or other activities, such as mind-body exercise, gardening, philosophical study, or similar activities. Lunch together may be followed by a rest period, and then a continuation of the group work of the morning. The evening meal is often followed by an activity for all participants, which could be listening to music, listening to readings, or a meeting. During some events, there may be classes in dance movement during the day.

The last day of the event often ends in the late morning, after participants have had a meal together and cleaned up the premises.

Activities that generate noise will be infrequent. Apart from equipment that may be needed for building maintenance, most equipment will consist of small power tools, some shop equipment (primarily in the garage) and equipment required to maintain the grounds. The most noise is likely to be associated with grounds keeping, and likely to be similar to current levels. The Foundation will not employ the use of any loudspeakers on the grounds of the property, nor will music from any of the events be audible from outside the building or immediately adjacent grounds. The main building is more than 400 feet from the nearest neighbor's buildings, and the garage is over 1,000 feet away from the nearest building on adjacent properties. The property has wooded areas along the boundaries with all residential properties. Given the distances and the protected nature of the property, along with little or no noise in excess of typical residential levels, noise from Foundation activities is anticipated to have no impact on neighboring properties.

For many reasons, the Foundation intends to keep traffic into the property at the lowest practical levels. We intend to take advantage of the proximity to the Croton train station to encourage members to make use of public transit. Participants driving to the property can pick up others at the train station to reduce trips. Based on our experience at our New York City property, we expect that many will carpool from their homes with other members. We may purchase a van to facilitate pickups from the train station. There may be a few occasions each year when we hire a bus to bring people from New York City. These would typically be small buses, and would arrive and leave at the beginning and end of activities (most likely only for some events lasting four days or more).