TOWN OF WOODSTOCK, NY ZONING BOARD OF APPEALS

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Woodstock Zoning Board of Appeals

45 Comeau Drive

May 14th, 2026

7:00 PM Town Offices, 45 Comeau Drive

ZOOM only for listening purposes

MEETING MINUTES

Vice Chair Joseph Belluck called the meeting to order at 7:00 pm, second by Martin Mills. Members present Joseph Belluck, Greg Goodbrod and Martin Mills. Howard Harris and Jude Sillato were absent. Council John Lyons and Kim Garrison were present.

1. ADMINISTRATIVE MATTERS

MINUTES APPROVAL- Move to accept 04/23/2026 meeting minutes. Vice Chair Joseph Belluck mentioned there would be no vote pending corrections from the Chairperson. All voted aye.

CHANGES/ADDITIONS TO MEETING AGENDA – no changes were made.

2. PUBLIC HEARINGS SCHEDULED for May 14th, 2026

ZBA Case #26-05 Application of Aaron Yassin/ Glasco Ridge LLC, for property Section 2.72 Block 2 Lot 6.120, located at Glasco Turnpike, Woodstock NY 12498, a 5.190-acre parcel located within a (R3) Zoning District, for a variance from the Zoning Law of the Town of Woodstock, Article IV, Schedule of Area and Bulk and Regulations 260 Attachment 2 Section (R3) a, to create an undersized lot in an R3 Zoning District in order to subdivide a 5.190 acre lot into a 3 acre lot and a 2.19 lot.

Mr. Yassin and his partner Hillary Padget were present, she is also co-founder with her husband Anthony Harrington of PH Design an architectural practice that specializes on low energy and environmentally responsive designs. They focus on passive houses and together they are on a mission to build more sustainable homes that are better for the people that live in them in the communities in which they are built. They purchased the property in January 2026 and want to build two passive houses. He is an artist and Hillary and her husband are architects, they work with local builders and subcontractors, and they are genuinely committed to work with this community. They are all owners of

the property and are very proud of this project, they would like to build two modest homes designed to passive house standards that will fit into the landscape and into the values of the community. They are requesting a single area variance, minimum lot size only for one lot. They are proposing a two-lot subdivision on their 5.19-acre parcel, lot one is exactly 3 acres and that would be the lot that would face and be adjacent on the street side and that is fully conforming. Lot 2, which would sit behind that first lot is 2.19 acres and that is where the variance is needed. They are not asking for any other relief, no setback variances or height variances. Mr. Yassin showed the board the layout of the property on the site plan, on pictures he submitted and, on the property, topographical model. Attorney John Lyons invited the public to come up to the table to see what Mr. Yassin was presenting to the board. He also asked the public to let the applicant continue with his presentation without interruption, there would be a space for them to ask questions after the presentation was finalized. Mr. Yassin continued his presentation showing everyone where Glasco Turnpike was located, where a stream was located adjacent to the property, where there was an increase in elevation on the property (it is like a ridge), the driveway of the house on the east side, and where the non-conforming parcel would not be visible from the street. He proceeded to show where the houses would be located on the topographical model. They would sit back in the woods as much as possible, they are really not visible from the street. Vice-chair Belluck asked if there were any known structures on the property now? Mr. Yassin answered no, currently there are no structures on the property. Vice-chair Belluck asked what about on the shared adjacent property? Mr. Yassin answered there was a house on that small parcel. Mr. Yassin proceeded to show everyone an existing U-shaped driveway that was in front of a house. Vice-chair Belluck asked what his intention was, what was he planning to do with these two homes? Mr. Yassin answered they are planning to build them and they would be available. Vice-chair Belluck asked if he was planning on living there? Mr. Yassin answered by saying he would potentially love to live in one of the houses, but their goal is focused on building passive houses. Attorney John Lyons asked if there was a map with the topo lines plotted in the packet he gave out? Mr. Yassin answered yes, but he stayed in the 11 x 17 margin, and it was hard to read. He then proceeded to show everyone a larger map with the topo lines and stated he would leave it with the board for the file. Attorney John Lyons requested it be sent electronically if possible. Mr. Yassin continued his presentation stating the houses would be pushed back as far as possible, and they really want to maintain the character of the property. One of the houses would likely have two floors and the other would be lower to the ground and one floor. Vice-chair Belluck asked how he would assuage the ZBA's concern that if they were to grant the variance, he wouldn't sell the subdivided property to someone who might build something completely different than what he is stating since the variance runs with the property not the owner at the time. Mr. Yassin asked attorney Lyons to answer this question as it was a legal matter, and it would have to be written in the variance decision essentially binding their hands to live up to what they are saying they are going to do. John Lyons answered by saying it was up to him, since it exceeded their jurisdiction. Mr. Yassin would have to sort of purpose a mechanism for that. Mr. Yassin stated he would be happy to do that. Vice-chair Belluck asked why they needed to do this knowing what the size of the property was when they bought it? They could have built one home on it and sell it to somebody. Why do they need to subdivide it to build two homes? Mr. Yassin answered by saying if they were going to build one home on this property it's going to be a much bigger house, it could be a 6,000 – 8,000 sq foot home, with two separate driveways onto the county road. There is a likely viewshed from the front of the property, so a lot of clearcutting would

happen on this property to open a view in the front. They feel it is a gorgeous piece of land, and they want to maintain it to the greatest degree possible. They are also focused on the type of house they are building. Greg Goodbrod asked where the driveway would be? Mr. Yassin showed the board on the map the location of the driveway on the very edge of the property on the left-hand side, nowhere near the stream. One of the neighbors asked where the logging road was? Mr. Yassin showed them on the map it is very close to where the driveway would be. It is an old logging road. Mr. Yassin continued his presentation by saying the variance enables them to build two more modest homes that are sighted deep into the property behind the trees into the woodland and then work with one curb cut. They want to maintain the property as much as possible and after studying it extensively they feel this is the best approach for doing that. Vice-chair Belluck stated it seemed a little odd to him that part of Mr. Yassins justification for doing this is because he loves the property and he wants to preserve the property while also saying if he doesn't get the variance there will be clearcutting and the building of a gigantic home. Mr. Yassin answered by saying he wasn't saying they were going to do that, what he was saying is that would be a very likely outcome. If they don't get the variance he isn't sure what they will do. Martin Mills asked how many square feet are the proposed structures? Mr. Yassin responded they are 1,900 and 2,200 sq ft. Mr. Yassin provided the board with information on a project they are currently working on in Ellenville to give them a better idea of their approach. It would be an incredibly energy efficient structure that's mostly filled with fibers and very sustainable insulation. Mr. Yassin proceeded to read a narrative he prepared regarding the 5 factors under NYS Town law 267-b (3)(b) (see attached). Vice-chair Belluck asked how he defined the benefit that is coming from his requests? Mr. Yassin answered the benefit of subdividing the property they are more able to maintain the character of the property, that is their approach to evaluating in terms of what they are planning to do. Vice-chair Belluck asked in regard to factor number two is this the only feasible means of maintaining the character of the property? Martin Mills stated theoretically they could build just one 1,900 sq ft building. Mr. Yassin answered yes theoretically they could do nothing and just leave the property unbuilt but that is never going to happen with this property. For them and for their plan the way to maintain the property in the most rural condition possible is to build two smaller more modest houses, as opposed to having to build a significantly larger house which is really what the alternative would be. Attorney Kim Garrison explained the SEQRA (State Environmental Quality Review Act) process stating they recommend this should be a Type II action under 617.5C17. One of the criteria is the granting of an area variance for a single-family home. Vice-chair Belluck made a motion to accept this as a Type II action, second by Martin Mills, all voted aye. Kim Garrison continued stating under the Town of Woodstock Zoning Law when an area variance is sought in respect to a subdivision the ZBA has to ask for written recommendation from the Town of Woodstock Planning Board. This referral asking for their recommendation should be made sooner than later. Also under General Municipal Law 239N if you are within 500 ft of a state or county road which she believes Glasco Turnpike is, the ZBA must refer out to the Ulster County Planning Board. She spoke to Michele earlier about this and because this property does not have central water or sewer it is not exempt. Michele will send out the application to the UCPB tomorrow. She also recommended getting an advisory opinion from the Woodstock Environmental Commission. Vice-chair Belluck made a motion to refer this case to the Woodstock Panning Board, UCPB and WEC, second by Martin Mills all voted aye.

Vice-chair Belluck made a motion to open the public hearing for ZBA Case #26-05, second by Martin Mills, all voted aye. John Lyons explained the plan was not to close the public hearing tonight, so this would not be the only opportunity to speak since the hearing will continue to be open until the next meeting. Kim Garrison stated to the public to please address the board and not have a back and forth with the applicant, and to please clearly state their name and address.

Mr. Andrew Scherer stood up representing multiple members of the public who are surrounding neighbors and stated he had already sent an email to the board with his concerns with this project (see attached). He stated all present (Margot Molnar, Adina Scherer, Jerald Jacobik, Danielle Modzelewski, Joseph and Avis Toochin, Daniel and Leah Rubenstein) are all unanimously opposed to this plan. He showed the board members his concerns on the site plan regarding where his house is located and how it would affect this R3 zoning district having 3 homes in a 6.18 acre parcel. He is also concerned about the wetlands and watercourse, the Fontyne Kill stream that runs on the eastern side of the property. There are a lot of vernal wetlands and they come and go. They had Paul Rubin from Hydroquest walk the property with them when it was last up for sale three years ago, he looked at opportunities for sitting homes, wells and septic. What was found was that this property has very little to no soil cover over, there is bedrock all around them. He does have this report where it states there are concerns about septic drain fields, where these would go given the waters that are present and the ones that come and go with the rain, very shallow depth to bedrock, wells running dry have been a significant issue for many of them for the past summers as well and two new wells are a huge issue since they would be tapping into the same water table. They are looking for proper studies and tests to take place and they will do their own test if this moves forward. Vice-chair Belluck asked him about the 5 factors specific to one that states; the character of the neighborhood will be changed or a detriment to nearby properties, another one that addresses adverse effects or impacts on the physical or environmental conditions in the neighborhood, did he want to address either one of those two factors? Mr. Scherer answered by saying the concern of three houses on six acres addresses the first one that he cited. Regarding the second one the greatest concern would be the very long driveway being proposed and its location, he doesn't believe Ulster County or the Town would be able to approve it as is, it is a very dangerous place and it goes almost the full length of the property with two 90 degree turns. It also states there will be a 50-foot buffer for a 20-foot driveway and that would mean a lot of clearing and paving. If these are going to be energy efficient houses, he doesn't know if solar panels are in play for them. Given the wooded nature of this land that would mean even more clearing in order to create enough space for solar. He has solar on his roof, and they were told by the installers in order to get the height and the clearance trees would have to be cut although they were one of the lucky ones that didn't have to do that. How much habitat is existent there is also a concern about the amount of wildlife that would be disrupted. John Lyons wanted to explain to the public the ZBA has to operate within the jurisdiction that's been given to them by the Woodstock Zoning Law. Area variances are subject to a test it's the same for every municipality in the state. It's a balancing test and there are 5 mandatory factors that the board has to consider. The applicant submitted an accurate letter reciting the five criteria. The board's inquiry is going to be confined to facts and circumstances that bear upon those 5 factors. If it should come to a point where this area variance is granted it will require subdivision approval from the Planning Board and there will be another review looking at different scope of considerations set forth in the subdivision

regulations. It is good to know the process so they can focus their efforts on the 5 criteria the board has to consider as part of the balance. Adena Scherer stood up next and stated she wanted to clarify for zoning purposes the R3 properties surrounding this one were grandfathered in decades ago, they did not get variances, they are all preexisting non-conforming lots. She is also concerned about this property with two new houses being able to support septic and well capabilities. Daniel Rubenstein stood up and stated he lives directly across the street from the proposed project. He also has several concerns and his main one is safety. He showed the members on the map the clearance on the 25 mile per hour speed zone on Glasco turnpike. He showed them where his driveway used to be since Ulster County shut it down. Vice-chair Belluck explained this was not a concern the ZBA could deal with it had to do with Ulster County and the local Planning Board. Mr. Rubenstein thinks the plan that is being proposed for the driveway needs to be modified so it has the clearance that it requires. He thinks the only other place the driveway could be, would be next to the stream. He mentioned the ZBA recommending SEQRA Type II because the construction of the driveway was so far from the stream, but in the event the Town or Ulster County says this driveway needs to be placed somewhere else he is wondering if a SEQRA Type I would be required. Kim Garrison answered by saying the Type II action is a predetermined particular list of general descriptions. And the reason they said Type II is because the purpose of the subdivision is for building a single-family home that had nothing to do with the driveway or the proximity to the stream. John Lyons explained that classifications were put together by the DEC, they have created boxes and you check which box a particular project falls under. Mr. Rubenstein made a point to talk about the high density in their neighborhood, how the wells have gone dry and that it is on a very steep hill and this in his opinion runs the risk of sewer seepage going downhill and impacting the stream and the homes further down. He recommends an environmental review be done. Susan Paynter the Chairperson of the Woodstock Environmental Commission, thanked the ZBA for including them in the discussion of this project, they will be doing a site visit because they have many concerns. The very long driveway is one because it is going to be going up a hill, they are not going to be able to put gravel there. The environmental issue is that it is next to the Fontyne Kill, there are buffer zones, there are vernal pools they might not see when they do a site visit because they are seasonal, although on this property they have been located and identified. There are definitely wetlands, hawks, and eagles in the area, it is also a foraging area for a number of species. She has a lot of concerns regarding habitat destruction and looks forward to giving the ZBA a report with their advice. Mark Canter stood up and stated he is one of the founding members and current president of the Woodstock Rotary Club which is a membership organization that does local service projects. He really believes in community service and he is also an associate broker at Berkshire Hathaway Home Services, where he runs a team called the Maverick team made up of seven real estate agents. Most of them are connected to the arts in some way (he is a painter) and he has been a member of this community for 30 years. He has been asked by many developers, because of his connection to the community, to help them develop properties. He has refused all of those requests over the past 10 years except this one. He strongly believes in this project and the two beautifully designed proposed houses that are highly efficient. Because Woodstock is such a progressive town it should be supporting this kind of building. The alternative is a $2.5 million house with a pool. The two proposed structures are affordable houses to actually be in, to keep for the long term because of their efficiency. Two wonderful families could move into these two houses. They could let Mr. Yassin build these two homes on the property or have

someone else build a “Macmansion” on the property. He really thinks people should think about why the zoning laws were put in place in the first place. The irony here is that by right the ability to build something so far out of the nature of what the zoning intended after going through all the processes, that it behooves all of them to consider this amazing group of architects who want to make a living like everyone else but who also have a passion for their work. They want to build something that will impact on the community much less than what could be built there. Vice-chair Belluck stated he believed some of the things that he mentioned that could happen on the property are very speculative. He also mentioned again that the variance goes with the property and once a variance is granted the ZBA’s control over what happens is more limited. Leah Rubenstein stood up to speak and stated she heard a threat in the presentation when it was said if they don’t get permission to build the two houses a massive house will be built. She wants to know how much blasting is going to have to be done to get water, to pour the foundations, if there are going to be basements, this property is all bedrock. She is one of the 10% full-time citizens in Woodstock and she doesn’t want to see it destroyed. She is really concerned about the environment and her safety with water. Vice-chair Belluck invited Mr. Yassin to come up and address the driveway since this is one of the concerns that was mentioned multiple times. He showed the members where the driveway was going to be placed on the site plan. It will be on the edge of the property, following the property line. They have made an initial assessment of the sidelines, and they believe they have conformed to the requirements. There was also a right of way on the site plan that was showed to the members. Mrs. Scherer showed on the site plan where her property was and stated how upset she was over the placement of the driveway. Mark Canter spoke again saying he wanted everyone to know the nature of this project is substantially better than what could potentially be developed there, at no point was he presenting it as a threat. Avis Toochin stood up and asked the Board if the driveway met the specs of the Woodstock Fire Department? Because this is a very bare area as far as water is concerned. Vice-chair Belluck answered by saying that was a Planning Board issue. She doesn’t know how wide the driveway has to be but she hopes the ZBA looks at it since if it has to be wider more clearing will have to happen and it would take away property from the lot sizes. There were no more comments from the Board. Kim Garrison mentioned there had been comments about the vernal pools, the stream corridor and about the wetlands on the property. One of the criteria the ZBA has to look at is if the variance would have an adverse effect on the physical or environmental conditions. The ZBA can request the applicant ask the DEC for a jurisdictional determination, and this would let him know if he would need a wetlands permit from the DEC. Vice-chair Belluck requested Mr. Yassin to get this report. Kim Garrison stated the DEC should respond to him in 90 days, but hopefully sooner. Mr. Yassin said he would contact the DEC and also invited the members of the public and board members to go visit their other site in Ellenville where they are building a similar house.

Michele read the names of the contiguous neighbors: Margot Molnar; Andrew and Adina Scherer; Jerald Jacobik & Danielle Modzelewski; Joseph & Avis Toochin and Daniel & Leah Rubenstein.

Michele also mentioned Ulster County Planning Board only meets once a month, the first Wednesday of every month. Their next meeting would be on June 3rd, and she will submit the application to them tomorrow. She isn’t sure if it will make it on the June 3rd agenda though so it might be pushed back to July.

Vice-chair Belluck made a motion to continue the public hearing on 6/11/2026, second Greg Goodbrod, all voted aye. Vice-chair Belluck made a motion to recess the case, second by Greg Goodbrod, all voted aye.

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ZBA Case #26-06 Application of David and Barbara Blumenthal, for property located at 135 Grogkill Road, Willow, NY 12495, a 3.155 acre parcel located within a (R3) Zoning District, for a variance from the Zoning Law of the Town of Woodstock, Article IV, Schedule of Area and Bulk Regulations Section 260-16 attachment 2 (f) for a 28 foot infringement into a 50 foot side yard setback in order to construct an addition to enlarge a kitchen and bedroom.

Vice-chair Belluck made a motion to open Case # 26-06, second by Martin Mills, all voted aye. Peggy Fusco the representative, was present and stated the Blumenthal's bought the property in 1977. She showed the members where the property was located, where Grogkill was located and where the driveway was located on a site map. She continued to explain the Blumenthal's daughter and husband are now expecting a baby and would like to expand the bedroom they are in now, so it would fit their growing family. It is the smallest bedroom in the house. There will be no new plumbing, it will be the same color that the house is now and it is in the back of the property. The Blumenthal's also own the property behind them. The original house already infringes completely on the 50-foot setback, no body has any issues with this. It isn't going to impact anybody. They did notify all of the neighbors and none of them seemed to care. The setback is towards the lot they also own. The adjacent property is really steep, so there is no intention to build on it because it is really not buildable. They bought that property to prevent anybody building right next to them since they wanted privacy. Greg Goodbrod mentioned he had driven by the property and it was pretty set back. Mrs. Fusco showed the members on the map where a hedge of evergreens are to create privacy. The proposed addition does go over the infringement and that is why they would like to get a variance, they haven't gone forward with much because they want to make sure they comply with everything and work out all the details. There were no questions from the board.

Michele read the names of the contiguous neighbors: Karen Mines; Carne Boiko Family Trust; Bastian Timmes; Ellasser Feiden; City of New York Bureau of Water and Taxes and Antonio Loria.

No neighbors were present and no written communications were received.

Vice-chair Belluck made a motion to close the public hearing of ZBA Case #26-06, second by Greg Goodbrod. Vice-chair Belluck made a motion to recess ZBA Case # 26-06, seconded by Greg Goodbrod. All voted aye.

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ZBA Case # 26-07 Application of Louise Cooper, for property located at 6 Chester's Place, Woodstock, NY 12498, a 0.54 acre parcel located within a R5 Zoning District, for variances from the Zoning Law of the Town of Woodstock, Article IV, Area & Bulk Regulations, Modification of required yards, Section 260-26 A for an 36 foot infringement into a minimum required 50 foot front yard setback and Section 260-26 B (2) (b) for a 25 foot infringement into a required 25 foot side yard setback in order to construct a 12 foot by 12 foot detached carport.

Ms. Cooper was present and stated she is 81 years old and she wants to build a carport; she has to put her car under something because she can't clear the snow off when there has been big snowstorms. It is too much for her at this point and she wants to put it directly opposite the front door of her house, which is where she has been parking her car since she moved there. Greg Goodbrod asked if the space she is talking about is where there are two pots. Ms. Cooper stated no that was a space she used to park her car when she was working on the house. She also stated the place where she wants to put the carport is 20-30 feet past that space down Chester Road opposite her blue house. It is a private tiny little road that she pays for the plowing for. The ZBA granted this variance before, but she didn't have the money to do it then. Michele stated yes, it was granted with conditions. Vice-chair Belluck asked what the conditions were. Michele read the previous resolution that was passed in 2021 stating the carport could not be built within 5 feet from the edge of the road to facilitate said maintenance of said road. There is a difference with this new case and the past one and that is the previous one was for a 40-foot infringement into a minimum 50-foot front yard setback and at this time it is a 38 foot infringement. The original resolution was adopted in January 2022 and then in February 2023 she was granted a 1-year extension that expired in February 2024. Vice-chair Belluck asked Ms. Cooper to show them on the site map where the carport would be located. She stated it would be right at the edge between the other two properties she owns as well. Michele stated there were two contiguous neighbors that were opposed. Joseph Belluck stated they received an email from Joey Grill. Ms. Copper stated he was not a contiguous neighbor. Michele responded by saying yes he was and further explained what a contiguous neighbor meant. Vice-chair Belluck asked if where she is currently parking her car was the proposed placement of the carport. Ms. Cooper answered yes it was. Joey Grill was concerned she was going to place the carport in a different location but if it is the same place he is ok with it. Joseph Belluck stated they also got an email from Greg Madsen who is concerned about existing code violations such as her parking spaces, the fence, her in home commercial business and because of this he is objecting to the carport. Ms. Cooper answered she doesn't understand why he would be objecting to her fence, she also explained she is retired (as of 3 months ago) psychotherapist. Vice-chair Belluck then stated that her home commercial business no longer exists then, she answered no but even if it did exist the neighbor at the end of the road rents a house and does construction and no one has ever objected to his business.

Michele read the names of the contiguous neighbors: Woodstock Water Department; Claire Maines; Greg Madsen; Michael Andersen; Woodstock Motor Club; Anthony Spadaro and Camille Amatto Grill.

No neighbors were present.

Vice-chair Belluck made a motion to close the public hearing of ZBA Case #26-07, second by Martin Mills. Vice-chair Belluck made a motion to recess ZBA Case # 26-07, seconded by Greg Goodbrod. All voted aye.

3. DECISION & ORDERS AND INTERPRETATIONS OUTSTANDING

None at this time.

4. OTHER

Vice-chair Belluck stated there were two new cases ZBA Case # 26-08 Patricia Billard and ZBA Case # 26-09 Nan Schmid & Steve Johnson. Michele mentioned the next meeting would be May 28th. Vice-chair Belluck made a motion to adjourn, second by Martin Mills and Greg Goodbrod, all voted aye.

Submitted by,

Michele Sehwerert