TOWN OF WOODSTOCK, NY ZONING BOARD OF APPEALS

45 Comeau Drive, Woodstock NY 12498 Tel: (845) 679-2113, Ext. 14 • Fax: (845) 679-8743

Colony of the Arts E-mail: zba@woodstockny.org
Website: woodstockny.org

Woodstock Zoning Board of Appeals

45 Comeau Drive

June 11th, 2026

7:00 PM Town Offices, 45 Comeau Drive

ZOOM only for listening purposes

MEETING MINUTES

Chairperson Sillato called the meeting to order at 7:00 pm, second by Greg Goodbrod. Members present Jude Sillato, Greg Goodbrod, Howard Harris and Joseph Belluck. Martin Mills was absent.

1. ADMINISTRATIVE MATTERS

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

2. PUBLIC HEARINGS SCHEDULED for June 11th, 2026

Continuation of 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.

Chairperson Sillato made a motion to open ZBA Case #26-05, second by Greg Goodbrod, all voted aye. Mr. Yassin was present and asked Chairperson Sillato if she had any questions for him since she was absent at the previous public hearing. She answered no, thank you, she had watched the You Tube recording and had spoken to the other board members about the meeting.

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

Joseph Belluck made a statement saying this was for any non-repetitive arguments, if anyone had anything new, they wanted to share that they didn't state at the last public hearing they were welcome to do so. Avis Toochin asked the board if they had brought her inquiries to the Woodstock Fire Department regarding the proper size of the roadway. Chairperson Sillato stated they had received a letter from the Ulster County Planning Board; she proceeded to read it. (see attached) where they commented on the section of the road. Mrs. Toochin stated at the previous meeting the Board said they would reach out to the Fire Department since there was a

question about the width of the roadway from Glasco Turnpike towards the two proposed homes to be built. She wanted to know if the roadway met the specs. It is her opinion the road must be wider to meet the proper criteria. Chairperson Sillato stated if the ZBA were to approve this variance it would then go to the Planning Board and they have specifications as to how wide a driveway has to be, if there are turning radiuses, that is all in the subdivision regulations and that is not something the ZBA would address. If someone puts in a driveway that is considered part of the property, it doesn't reduce the size of the lot. Daniel Rubenstein wanted to clarify he had concerns about the driveway cut, the location of the driveway cut, and whether the variance was granted. He believes there is still a problem even if the variance is not granted and it should be addressed. Chairperson Sillato stated again that was not under the ZBA's purview, that would be the County's decision to make. Generally, when someone owns a piece of property, they have it as a right access, she believes the County would be hard pressed to say they cannot access your property. She doesn't know what they would require in terms of access or how much leeway there is. She hasn't been out to the site yet to see if there are different places where that driveway can go, but the County Highway Department would make that determination. Mr. Rubenstein also mentioned he used to have a circular driveway that the county required him to close. The area that was closed is directly across the street from the proposed project. At the Ulster County meeting one of the representatives made a comment that when the highway department looks at the situation, they should also look at whether or not he should get his private circle driveway back at the same time. He would like the micro-cut to be revisited, what is the process that he needs to go through. Chairperson Sillato answered by saying that would also be through the Ulster County Highway Department because Glasco Turnpike is a county road. Another neighbor who didn't mention her name who lives on the property the driveway would be next to, believes it was pertinent to the issue of the size of the lots and the zoning of the lots, the way it looks on the drawing plans it doesn't seem to include the required buffering between one property to the next. Their property was a grandfathered one-acre property. Chairperson Sillato answered by saying she would imagine this would go to the Building Department at some point if they had specifications for a driveway and they are not given the 5 feet/10 feet setback, they would have to come back for a variance for that. There are still some things that are up in the air. There are required setbacks for driveways where you cannot be on somebody's property line. The ZBA asked the Woodstock Environmental Commission to go to the property and they prepared a report. This hearing will be continued because there are still outstanding reports from the WEC and the Planning Board. Lots of people get to weigh in on these types of cases. Joe Waters and Lori Kirby of the Woodstock Environmental Commission were present and stated they went to the property to do a site visit. Many of the issues that were raised have already been discussed and they have a more independent report. Chairperson Sillato stated the ZBA had asked for an advisory opinion from the WEC as it was their specialty. The first issue they saw was the possible building/housing sites. There are various constraints limiting the area that could be practically built for suitable housing sites anywhere near any of the boundaries of the property. The road boundary features a rock face and steep slope. The north side of the property goes to a fairly narrow corner, on the northeast side of the property there is a stream and also a 10-15 foot gorge, a very beautiful place but it drops down and then at the top of the gorge there's another steep slope terrain all facing the property. The fountain kill runs right along the property line and then it goes away from the property line headed south. They showed the members all of this on a map. A lot of the terrain is steep. Chairperson Sillato asked if all of this was walkable? Was it dense? They answered yes, all of it is walkable except where there was some steep rock. There weren't that many large trees, it's second growth. On the northwest side the property line runs along an old stone wall that could be an issue depending on how old it is. Chairperson Sillato stated she didn't think there were any protections for stone walls in the code. Mr. Waters stated they put it in the report because they have heard of stone walls, stone structures and quarry roads if they are Native American built it could be something that gets considered. They also found clear evidence near the north point of the property of a vernal pond about 15-20 feet, there is a requirement for a small pond to have a 50-foot setback. The Woodstock Wetlands map, the natural resource inventory map, shows a wetland area on several neighboring properties but

whose required setback does hinge, it's a matter of feet but they wanted to mention it as well. Basically, the terrain is kind of rough or glacial to some point, there's wetlands, there's pools, there's something in between a little watery. The rock that faces down to Glasco Tpke. was also discussed which is high at the east end and then the road climbs up to the western corner so the only feasible driveway access is right near this western corner. Mr. Yassin stated he had submitted some photographs that show all of the property with everything they have stated. They are in the case file. Mr. Waters continued by saying they are calling it an access road not driveway because it would have to come in between two properties. Chairperson Sillato stated yes that it is proposed. All around the edges there's constraints on building this, some area kind of roughly the central area is the only buildable area. They are not sure how wide the area is but the fountain kill is on the border of the property and there's a 100 foot setback, they aren't sure if anything can be done there. Mr. Yassin stated he did show the setbacks they are referring to on all of the drawings. He doesn't know if they demarcated the stone wall but they are sitting right on the edge of the property. There is a setback for the driveway and also from where the stone wall is. It is an attractive wall so they will not be moving it, they would like to maintain it. There are setbacks for all of the conditions the WEC members mentioned and he was aware of them. Because of the vernal pool they see more of a squash between the two houses and Mr. Yassin stated he knew about the 50-foot setback regarding the vernal pool. Chairperson Sillato asked if the DEC was also going to come out and check the property? Mr. Yassin answered he has already been in contact with them and they were going to do their initial analysis and they will only come out of they determine there is a need. As soon as he has a response from them he will forward it to the Board. Mr. Waters also saw the septic field and the backup septic field on the plans and asked if there was going to be a raised septic? Mr. Yassin answered they are on the proposed drawing, a civil engineer is working on this at the moment, this study is in process, the houses are not completely designed at this point. Mr. Waters said it was his understanding that the raised septic had to be from 1500-3500 sq ft. Mr. Yassin stated there were different solutions and he didn't want to comment on a civil engineer's experience. There are requirements for different types of septic systems. Mr. Kirby stated there was a limited buildable area, in that area they found much evidence that the bedrock was shallow and in fact often exposed. A raised septic will be used that increases the area required for the septic field. The access road is another issue, it's not clear how you could maneuver and if it was even feasible given all the constraints they found and the ones the County Highway Department also mentioned. The public had also mentioned their concern with the water table since some neighbors have experienced drying up wells or gone brown. Joseph Belluck mentioned not a lot of this was related to the environment that they are supposed to be commenting on. He understands they may not like the driveway or the stone wall, what the ZBA really wants to hear from them is more in line of the vernal pool or endangered species so if they could focus on that it would be great. Mr. Waters mentioned he is not an expert when it comes to raised septic only what he researched where he found out there has to be a primary and a secondary 1500 sq feet, 3500 sq feet, in addition to that you have to have setbacks of 20 feet and 50 feet. 50 feet if you have maples, willows, popplers and elm, so all of that has to be treeless. So, the calculation has to be made to figure out how many acres would have to be treeless just for these raised septics to be installed and it is significant. Joseph Belluck asked what was the environmental issue with removing the trees? Mr. Waters answered by saying it was very involved since the trees produce oxygen, they absorb CO2 that has a direct effect on the environment. They also mitigate flooding, they buildup and preserve soils, and they provide wildlife habitat. The neighbors reported seeing fishers, bears, deer, rabbits, woodchucks, many species of birds etc. Chairperson Sillato stated regarding the size of the septic it is usually determined by the amount of bedrooms. The ZBA doesn't know all the details about that but it is certainly something to keep in mind when determining how much space / buildable area there actually is. Joseph Belluck asked if there were a particular variety of trees and wildlife that they are concerned about? Mr. Waters answered by saying they were only there briefly but he said he knows of someone who is very in tune with the wildlife in Woodstock and he could ask him. Mr. Waters personally has lived in Woodstock for 12 years and he knows from experience that it takes a while to appreciate the wildlife that lives in an area such as snakes, if there are vernal ponds

there are all kinds of amphibians, and all the way up the food chain. Chairperson Sillato stated some species are protected like rattlesnake den, the ponds, the stream and those are the things that the ZBA has to look at. She also thanked the members of the WEC for preparing the report and showing the board members where everything was located on a map. Adina Scherer a contiguous neighbor stated she researched the protected species because her property is right at the edge of Mr. Yassin's and she found out there are protections for bluebird's nests and hummingbird nests as wel,l although these are harder to find. There have been bluebirds nesting on her property for the past 5 years and also returning hummingbirds She has an app that records birds and they have discovered through it that there are over four dozen species of birds there. Cutting down most of the forest would definitely impact these and so many other animals that where already mentioned. Mr. Yassin asked in respect to the bluebird's nest were there any requirements for setbacks? Mrs. Scherer said yes but she didn't know what they were. Chairperson Sillato said this was something the board would have to investigate. Mr. Yassin asked if the board needed anything from him at this time. Joseph Belluck answered by saying that he was just informed about the WEC letter so they would give him some time to respond to all of that. Chairperson Sillato stated he could send the board an email after he digested all the new information that was provided. Mr. Yassin stated the DEC would only come to the property if they felt they needed to. If they review the maps and they don't find anything then they issue a report , so he would have to wait to see their conclusion of it all. A contiguous neighbor asked if this was the place to further have a discussion about the septic. Chairperson Sillato answered no that was all the planning boards purview. Another neighbor commented asking even if the act of two or more wells in an area having multiple wells that already go dry? Chairperson Sillato stated if they have evidence like a hydrologist who could address it, but just anecdotally it wasn't something the ZBA could deal with at this time. The neighbor stated they did have a hydrologist. Chairperson Sillato stated there were so many variables when it came to wells and she didn't know if at this point the ZBA would be getting an expert to come and look at that, that would be something beyond their scope. The neighbor said they should really take into consideration that there would be two houses on a small parcel. Chairperson Sillato answered, saying yes, she understood but there were still many variables to take into consideration such as how deep the wells were, the water tables etc. Another neighbor spoke about zoning issues; it was to his understanding when a parcel is being requested for a small subdivision there is normally an existing home on a larger parcel and then the request for the subdivision is to request a second home. In this particular case they are asking for a subdivision where there are no existing homes on the property. To the point about having the two wells issue, normally they would have the experience of one well and its increment of the second and given the fact that the wells have been going dry in that area during certain periods, he believes it is particularly important to look at. Chairperson asked the neighbors if they have had an experience of their wells going dry, if they could send an email to the board stating when and for how long or how many times then the ZBA would have it in their records, that would be more helpful than them just saying it has happened. Another neighbor stated if there was a raised septic next to the stream, she believes that stream flows down and she is downstream and it is on her property also, this would affect her. Chairperson Sillato answered by saying the Ulster County Health Department has standards and things have changed a lot with those kinds of systems. They are engineered a lot more differently now than they used to be. And yes, you do not want effluent going into a stream on somebody else's property, so they have to be engineered and the county oversees that. So, she doesn't believe they would allow something substandard to go there. Even if it is one house. The neighbor spoke about power outages and her concern with that, the new houses, the septic and no electricity. Chairperson Sillato stated she knew this could become an issue. Another neighbor stated that he noticed the WEC report was very consistent with all the issues that were raised in the May 7th original letter the neighbors sent the ZBA. He also wanted to let them know based on the sketch plan, he did some measurements down the road driveway and there is about 100 feet of sight line which is about 2 ½ seconds for someone going 40 miles per hour. He also stated Mr. Canter who spoke at the last meeting was part of the team and he doesn't believe it was appropriate for him to be representing that point of view. He doesn't think he could or should be wearing both hats if he's a representative. Joseph

Belluck stated that didn't mean he couldn't speak. The ZBA disclosed that he was part of this, but in assessing his credibility as a presenter, the ZBA is certainly allowed to take into consideration that he may have a financial interest in this.

Chairperson Sillato made a motion to recess ZBA case # 26-05 to the call of the chair because they are waiting on other reports. Second by, Greg Goodbrod, all voted aye.

Chairperson Sillato explained they would schedule another public hearing where they could be very explicit and state, they would not take any more comments unless it was something new. Written comments via email are always welcome.

3. DECISION & ORDERS AND INTERPRETATIONS OUTSTANDING

Chairperson Sillato opened ZBA Case # 26-08 for discussion, second by Greg Goodbrod, all voted aye. Chairperson Sillato read the following resolution:

RESOLUTION:

Based upon the Standards for Consideration of Area Variances and conditional upon compliance with stated representations, Area Variances from the Zoning Law of the Town of Woodstock, Article IV, Area & Bulk Regulations, Modification of Required Yards, Section 260-26 B 3 (c) for a 30-foot infringement into a required 50-foot rear-yard setback in order to construct a detached deck, sauna and swim spa is hereby GRANTED subject to all requirements of the Zoning Law of the Town of Woodstock, the New York State Real Property Law and all other applicable laws, codes and regulations.

The vote was announced as follows: Judith Sillato: (aye), Joseph Belluck: (aye), Martin Mills: (absent), Gregg Goodbrod: (aye), Howard Harris: (aye).

THE RESOLUTION IS ADOPTED by a vote of (4) in favor, (0) opposed, (1) absent, and (0) abstaining.

Chairperson Sillato made motion to close ZBA Case # 26-08, second by Greg Goodbrod, all voted aye.

4. OTHER

Chairperson Sillato mentioned ZBA Case # 25-01 of Ian Vinci, they still hadn't received any new information on that case. ZBA Case #26-01 of Lisa Nardi, still nothing from this one either. Chairperson Sillato stated she would have a conversation with the building department regarding this case. ZBA Case #26-07 of Louis Cooper, they can probably move ahead on this one if Mr. Harris was interested in writing up the decision.

ZBA Case # 26-09 of Nan Schmid & Steve Johnson was opened for discussion by Chairperson Sillato, second by Greg Goodbrod, all voted aye. This is the one with the fence and she has not had a chance to go out to the property, but the ZBA had asked for some further information which they have not gotten, she isn't sure on how to proceed with that. Michele asked who they were waiting for information from since she wasn't at the previous meeting. Chairperson Sillato

answered Mr. Wallace the representative. There were some discrepancies and that is why they requested some additional information. She also mentioned she has a hard time accepting the idea of an 8-foot fence without a really, really good reason. Howard Harris mentioned he doesn't think it is a right of way, he believes it is a driveway on his property. Chairperson Sillato stated it was on his property, but she went and looked at the fence law and they cannot have it in the middle of a right of way or the driveway, there has to be a 5 foot setback. She would like to go up to the property but she doesn't see the need for 8 feet. Howard Harris asked about the 5 foot setback he thought it was only in the front yard. Chairperson Sillato answered she believed it said you could not have a fence. Greg Goodbrod asked what the reason for the 8 foot ask was because it wasn't for deer and it wasn't enclosed. Chairperson Sillato answered she thinks they could have gone with 6 feet, a little piece of it was in the front yard. The variance asked for enclosing a residence, which it is not, the whole thing is rather confusing. Her personal opinion is that this case doesn't rise to the standards for a variance, she believes they can work around what the law allows and still get the results they are looking for. Howard Harris completed that statement by saying especially since it is an open fence. Chairperson Sillato stated she had requested contact information, the materials that were going to be used since in the application it was stated it would be temporary fencing like plastic deer fencing which is not what they are using as stated by the representative and the length of the fence since he said it was 900 ft, they wanted to make sure that was the correct number. None of the members feel comfortable granting this variance as is. Chairperson Sillato made a motion to close the discussion of ZBA case # 26-09, second Greg Goodbrod, all voted aye.

Chairperson Sillato asked the board if they didn't get any new information on ZBA case # 26-05 of Aaron Yassin and if no new applications were submitted, was the board ok with cancelling the following meeting? All members answered yes.

Greg Goodbrod asked a procedural question about ZBA Case #25-01 Ian Vinci on how long the ZBA is going to wait for him to submit something. Chairperson Sillato answered by saying she would consult with the attorney regarding that matter and to see how they should proceed.

Chairperson Sillato made a motion to adjourn, second by Joseph Belluck, all voted aye.

Submitted by,

Michele Sehwerert