

From: Genie Tartell <gtartell@woodstockny.gov>
Sent: Wednesday, September 16, 2026 12:56 PM
To: Melissa Gray
Subject: Agenda site plan review ZD September 17 WPB
Attachments: Lot line site plan review Sept 17 ZD.docx

Melissa,

Please find attached one additional document submitted for the Woodstock Planning Board application record for Zena Development LLC, PB# 25-1237, SPR# 25-0390 and WWP# 25-0260.

Pursuant to Public Officers Law §103(e), I respectfully request that it be posted on the Town of Woodstock public website and distributed to the Board, the applicant and the public no later than 24 hours before the September 17, 2026 meeting.

1. Memorandum re: Lot Line Reconfiguration — Description, Stated Purpose, and Legal Basis — Eugenie Tartell, D.C., Member, Woodstock Planning Board, September 16, 2026

This document is submitted for the record. It does not offer a legal opinion or recommend an outcome.

Thank you.

Eugenie Tartell, D.C.
Member, Woodstock Planning Board
gtartell@woodstockny.gov

<html><body><h1>Standard disclaimer applies</h1></body></html>

Eugenie Tartell, D.C.

Member, Woodstock Planning Board

September 16, 2026

To: Melissa Grey, Clerk, Woodstock Planning Board

Peter Cross, Chair, Woodstock Planning Board

Re: Lot Line Reconfiguration — Description, Stated Purpose, and Legal Basis — Zena Development LLC, PB# 25-1237, SPR# 25-0390, WWP# 25-0260

Dear Melissa and Peter,

Please place this memorandum with the Woodstock Planning Board application record for the above-referenced matter, and make it available to the Board, the applicant, Board counsel, and the public. It describes the proposed lot-line reconfiguration, the purpose the Applicant has stated for it in its own submissions, the legal framework that governs the Board's approval of that kind of action, and relevant background. I am not an attorney. This memorandum does not offer a legal opinion or recommend an outcome, and no decision has been reached on any pending application.

The proposed lot-line revision. The September 17, 2026 agenda describes the action as reconfiguring lot lines to decrease the parcel count from three to two, together with “modifications to existing site by expanding road,” affecting SBL 38.2-1-38.100, 38.2-1-43, and 38.2-1-44. The submitted plan set (MJ Engineering and Land Surveying, P.C., Sheet C-120, Subdivision Plan (Overall), and Sheet C-126, Zoning Analysis Table) shows these parcels at the Eastwoods Drive entrance, connecting to a 31–32 lot residential subdivision under the R-60 Residential district extending into the Town of Ulster. The plan set does not include a standalone before-and-after exhibit isolating this specific three-to-two merger.

What the Applicant is seeking, per its own submissions. A July 23, 2025 letter from Alec R. Gladd, Cuddy + Feder, to Chairperson Cross and the Planning Board, submitted on behalf of Zena Development, LLC for these same three parcels, requests a waiver of “the Section 202-32D(1) road length limitation” — the 2,000-foot dead-end road limit — and any other Section 202-32 subdivision road design standard applicable to the proposed 1,200-foot extension, under the waiver authority at Section 202-43. The letter states that an existing gravel-based path connects to Zena Highwoods Road approximately one-third mile south of the existing Eastwoods Drive entrance and “could be used to complete a secondary access road,” but states that doing so “could result in thousands of linear feet of new road and acres of additional tree clearing, when the Applicant could simply continue to use the existing road.” Its enclosed Exhibit A (Figure FIG-4) quantifies both options: approximately 74,240 square feet (1.70 acres) of clearing for the primary road extension, against approximately 242,900 square feet (5.57 acres) of clearing for the secondary access alternative. Based on this letter, the Applicant is requesting Board approval of the primary road as the access route for the reconfigured lots and the larger subdivision, together with a waiver of the standards that would otherwise apply to completion of the secondary connection shown in its own exhibit.

Why this action is being proposed. On the record presently available, the lot-line merger and the road expansion are submitted together, and the plan set shows the resulting road connecting the reconfigured parcels to the larger subdivision on the Ulster side. Consolidating the three parcels into two, and fixing the lot lines at the Eastwoods Drive entrance, appears to be a necessary step to plat and legally establish the road alignment the balance of the subdivision depends on for access. The timing coincides with the Applicant's pending waiver requests under Section 202-32 and the separate NYS Department of State correspondence regarding FAAR length and access-point measurement addressed in this Board's other pending memorandum.

Legal and practical purpose the approval would serve. New York Town Law §280-a generally prohibits the issuance of a building permit for a structure on a lot that does not front on a public street or highway that has been suitably improved, unless the town board specifically authorizes construction on a lot fronting an existing private road or easement, based on findings that include the adequacy of access for fire equipment, ambulances, and other emergency vehicles, and provision for suitable drainage, water, and sewage disposal. Platting Eastwoods Drive as part of this lot-line action is generally the mechanism by which the interior lots' frontage would be established for §280-a purposes, and by which the road's legal length and access point would be fixed for the Table D103.4 fire-code analysis already before the Board. Approval of this lot-line reconfiguration and the associated road plat would functionally resolve both the frontage question under §280-a and the reference points used in the FAAR measurement. The record does not presently reflect whether a §280-a authorization by the Town Board — as opposed to Planning Board site plan and subdivision approval — has been sought or is required here, and that may be a question for Board counsel.

Woodstock's role notwithstanding Ulster County's lead agency status. The Ulster County Planning Board is the SEQRA lead agency for this application. Woodstock's Planning Board is an “involved agency” within the meaning of 6 NYCRR § 617.2, because it holds its own, independent site plan, subdivision, and wetland/watercourse permit approval authority over the same action. Designation of a lead agency under 6 NYCRR § 617.6 coordinates the environmental review; it does not relieve an involved agency of its own obligations, and 6 NYCRR § 617.11 requires every involved agency to make its own findings before granting its own approval. Those findings are shaped by two further provisions: 6 NYCRR § 617.3(g), which prohibits reviewing only a segment of a larger action in isolation from its related components, and 6 NYCRR § 617.7, which requires consideration of an action's long-term, cumulative, and growth-inducing effects, not solely its immediate footprint. Locally, Section 202-32(E)(2)(a) of the Woodstock subdivision regulations requires the Board, in granting a waiver of the kind requested here, to consider public health, safety, and general welfare and access for service and emergency vehicles; Sections 274-a and 278 of the Town Law are the underlying source of the Board's site plan and subdivision approval and conditioning authority. Although the Zena Homes subdivision is sited in the Town of Ulster, the only presently proposed means of ingress and egress serving it is Eastwoods Drive, which begins in, and is being extended through, the Town of Woodstock. This memorandum notes these authorities for the Board's and counsel's reference. It does not conclude that any particular outcome is required.

Historical background. The property has been the subject of an ongoing title dispute: Brant G. Williams v. Four J Funding, LLC, Ulster County Supreme Court Index No. EF2025-669, concerning 44 Eastwoods Drive, Woodstock (SBL 38.2-1-67), with a pending motion, filed

September 11, 2026, to add Zena Development, LLC as a defendant and to bring in the same three parcels subject to this lot-line action, along with the Town of Ulster parcel (SBL 39.1-1-21.100) to which the road extension would connect. The July 23, 2025 letter is the earliest submission presently in this record in which the Applicant sought a waiver of the same road-length standard addressed in the Board's FAAR-related correspondence. The plan set's cover sheet identifies the plans as prepared for "Woodstock National, LLC" at 44 Eastwood Drive, Town of Ulster, a distinct name from Zena Development, LLC, the entity identified on the pending applications. Additional historical detail can be added to this section as it becomes available.

The purpose of this memorandum is to place these descriptive, procedural, and legal-framework questions before the Board and counsel. The underlying documents control. This memorandum does not offer a recommendation or legal conclusion.

Respectfully,

Eugenie Tartell, D.C.

Member, Woodstock Planning Board

Documents referenced:

1. Woodstock Planning Board agenda, September 17, 2026 meeting, Zena Development LLC, PB# 25-1237, SPR# 25-0390, WWP# 25-0260.
2. Zena Homes plan set, MJ Engineering and Land Surveying, P.C.: Sheet C-120, Subdivision Plan (Overall); Sheet C-126, Zoning Analysis Table; cover sheet (G-001).
3. Alec R. Gladd, Cuddy + Feder, letter to Chairperson Cross and the Woodstock Planning Board, July 23, 2025, and enclosed Exhibit A (Figure FIG-4, MJ Engineering and Land Surveying, P.C., "Proposed Woodstock Road Extension and Secondary Access Road Figure").
4. Brant G. Williams v. Four J Funding, LLC and Zena Development, LLC, Supreme Court of the State of New York, County of Ulster, Index No. EF2025-669: Notice of Motion for Leave to Amend Complaint, Affidavit of Brant G. Williams, and Proposed Amended Verified Complaint, dated September 2026.
5. New York Town Law §280-a.
6. Woodstock Subdivision Regulations §§202-32(C), 202-32(D)(1), 202-32(E)(2)(a), and 202-43.
7. 6 NYCRR §§ 617.2, 617.3(g), 617.6, 617.7, and 617.11.
8. New York Town Law §§ 274-a and 278.