

Eugenie Tartell, D.C.

Member, Woodstock Planning Board

September 14, 2026

To: Melissa Grey, Clerk, Woodstock Planning Board

Peter Cross, Chair, Woodstock Planning Board

Dear Melissa and Peter,

Please place this letter with the Woodstock Planning Board application record for Zena Development LLC, PB# 25-1237, SPR# 25-0390 and WWP# 25-0260, and make it available to the Board, the applicant and the public. *Public Officers Law §103(e) provides for public access, upon request and to the extent practicable, to agency records scheduled to be discussed at an open meeting, generally at least 24 hours before the meeting.* This letter is submitted so that the Board, the applicant and the public have the same reference to the documents discussed below. It is submitted by a member of the Woodstock Planning Board after reviewing the applicant's submissions, the Woodstock subdivision regulations, and the September 17, 2026 agenda. It does not offer a legal opinion or recommend an outcome, and no decision has been reached on any pending application. It identifies matters where underlying documentation is not presently identifiable in the record.

Transmittal and agenda. On September 4, 2026, Melissa Grey circulated the September 2, 2026 Cuddy + Feder supplemental submission and stated that it had been forwarded to the Town's legal, engineering/traffic and planning consultants. The agenda received September 8, 2026 describes the application as Meeting #5 of Subdivision, Site Plan Review and Wetlands and Watercourse Permit Applications to reconfigure lot lines from three to two parcels and modifications to the existing site by expanding Eastwoods Drive. The agenda identifies the applicant's representatives as Cuddy + Feder, MJ Engineering and LaBella Associates. Woodstock legal and engineering representation is not identified on the face of the agenda.

Waivers requested. The September 2, 2026 letter from Alec R. Gladd, Cuddy + Feder, states on page 1 that the applicant is seeking to waive two requirements from Woodstock's Major Road Standards under §202-32G: the paving requirement (§§202-32G(4) and (20)) and the four-foot graded shoulder requirement (§§202-32G(4) and (15)). Page 2 of the same letter identifies additional requested relief under §202-32(C), which requires at least two road connections for subdivisions of 20 or more lots, and §202-32(D)(1), which limits a permanent dead-end road to 2,000 feet. The authority cited for this relief is §202-32(E)(2)(a). The record should clearly identify all requested departures and the specific authority under which each is sought.

Applicable standards. Section 202-29 of the Woodstock subdivision regulations states that the design standards are minimum standards and may be modified or waived only as provided in Article X. Section 202-32(E)(2)(a) sets out the considerations for a waiver, including adequacy for public health, safety and general welfare and access for service and emergency vehicles. Section 202-11 states that subdivision plats are to be considered as part of the orderly, economic and efficient future growth and development of the Town and expressly directs the Board to consider roads of sufficient width, grade and location to accommodate present and prospective

traffic, adequate fire and emergency protection, and compliance with other applicable laws and regulations. The road standards apply to subdivision roads whether intended for public or private ownership.

Road conditions — applicant's engineer. Walter F. Lippmann, P.E., MJ Engineering and Land Surveying, P.C., July 31, 2026 (Exhibit A to the September 2 submission), describes Eastwoods Drive as a privately owned gravel roadway approximately 3,400 feet long, with approximately 900 feet within NYSDEC-regulated wetlands or wetland buffers, and states that the existing road does not meet Woodstock's Minor Road standards. Deficiencies identified include dead-end length, width, curves, road base and turnaround requirements. (MJ, p. 1, PDF p. 5.) MJ states that the existing gravel depth is deficient relative to Woodstock standards and proposes pavement cores before construction to determine existing material and depth, and that three culverts beneath Eastwoods Drive are deteriorated and proposed for replacement. (MJ, p. 3, PDF p. 7.) All road engineering in the record to date has been prepared by MJ Engineering, the applicant's own consultant. The record does not contain an independent Woodstock engineering determination addressing the existing roadway's structural adequacy, subbase, drainage, culverts or long-term capacity for a 30-lot subdivision.

Gravel surface — Board record not identified. Gladd's September 2 letter, p. 1, states that the applicant is maintaining Eastwoods Drive as a gravel surface "at the Planning Board's prior request." MJ Engineering, July 31, 2026, p. 2 of 5 (PDF p. 6), states that "the Woodstock Planning Board has explicitly requested the installation of a gravel surface." This representation has been made to both the Woodstock and Ulster County Planning Boards. The submission does not identify which member or officer of the Planning Board made this request, at what meeting, in what form, or under what authority relative to §§202-32G(4) and (20). No meeting minutes, motion, resolution or written direction is cited. The record does not presently establish who on the Planning Board requested gravel or when.

Fire inspector determination — underlying document not identified. MJ Engineering, July 31, 2026, p. 5 of 5 (PDF p. 9), states: "The Town of Woodstock fire inspector has deemed the roadway width and material as acceptable." This statement appears in the context of the applicant's reliance on NYS Fire Code Appendix D §D107.1 and its sprinkler exception in support of the waiver from the secondary-access requirement. The submission does not identify the inspector by name, the date of the determination, the roadway design reviewed, or provide any written report or correspondence. The Town has experienced a change in building and code-enforcement personnel. The record does not presently establish who made this determination, when it was made, or whether it addressed the roadway design currently before the Board.

Right-of-way width — first road parcel. Section 202-32G(4) requires a minimum road right-of-way of 50 feet and a minimum pavement width of 20 feet with four-foot graded shoulders on each side. (Gladd, Sept. 2, p. 1.) Outside the approximately 900-foot wetland/wetland-buffer section, the applicant proposes a 20-foot carriageway and four-foot graded shoulders, a total improved cross-section of 28 feet. The recorded right-of-way of the first parcel of Eastwoods Drive is 27 feet, which is less than both the 50-foot minimum under §202-32G(4) and the proposed 28-foot improved cross-section. The submission does not address how the proposed cross-section is accommodated within a 27-foot right-of-way, whether a separate waiver of the

50-foot right-of-way requirement is being sought for that parcel, or whether the proposed widening affects adjacent property rights or easements.

Lot-line revision and §280-a. The lot-line revision is not a new subject. The July 17, 2024 submission from Alec R. Gladd described the Minor Subdivision application as being submitted “not for development purposes” but to address compliance with NYS Town Law §280-a by having Eastwoods Drive shown on a Planning Board-approved plat, and stated that the Minor Subdivision would reduce the number of parcels from three to two. The August 22, 2025 memorandum prepared for the Woodstock Planning Board states that Eastwoods Drive is not presently shown as a street on a Planning Board-approved plat and that the applicant had applied for it to be included on a proposed plat. The §280-a issue appeared before the Board at its November 6, 2025 meeting, which the applicant’s September 2, 2026 submission identifies as its last Woodstock Planning Board appearance. The September 8 agenda again places the lot-line reconfiguration and roadway modifications in the same agenda item. The record should identify what parcels are being changed, what the resulting configuration is, and how the change relates to the stated §280-a purpose of placing Eastwoods Drive on a Planning Board-approved plat. This is relevant because the Board’s own 2025 lead-agency submission described the §280-a issue as involving discretionary Woodstock approvals.

Plat approval, CEA, and long-term environmental consequences. The applicant characterizes the placement of Eastwoods Drive on a Planning Board-approved plat as a procedural step to satisfy §280-a rather than a development action. However, placing a road on an approved plat is a permanent mapping decision with legal consequences that extend beyond the current application. A mapped, approved road in a Town-designated Critical Environmental Area (CEA) establishes infrastructure whose existence may inform future development rights, access claims, and land use determinations within or adjacent to the CEA, regardless of the current applicant’s stated intentions. Under SEQRA’s anti-segmentation principle (6 NYCRR §617.3(g)), related actions must not be reviewed in isolation when doing so would obscure their cumulative environmental significance. The Board’s own 2025 lead-agency submission described the §280-a plat approval as a discretionary Woodstock action, meaning it requires independent environmental consideration by this Board. The record should reflect whether the Woodstock Planning Board has independently evaluated the environmental significance of permanently mapping Eastwoods Drive as an approved road in the CEA — including the potential for that mapping to facilitate future access or development — as a discrete discretionary action under SEQRA, separate from the Ulster Planning Board’s Negative Declaration. The record does not presently identify such an evaluation.

The materials reviewed do not allow the following to be identified in the application record: which Planning Board member or officer requested a gravel surface and at what meeting; which Woodstock fire inspector found the roadway width and material acceptable, when, and based on what roadway design; any independent Woodstock engineering review of Eastwoods Drive; the basis and formal authority for each of the four requested departures from Woodstock’s road standards; the documents establishing the purpose and configuration of the lot-line revision and its relationship to the §280-a plat requirement; and whether the Woodstock Planning Board has independently evaluated the environmental significance of placing Eastwoods Drive on an approved plat within a designated CEA as a discretionary action under SEQRA. These items are

identified so that the Board, the applicant and the public are working from the same record at the September 17 meeting.

Respectfully,

Eugenie Tartell, D.C.

Member, Woodstock Planning Board

Eugenie Tartell, D.C.

Member, Woodstock Planning Board

September 14, 2026

To: Melissa Grey, Clerk, Woodstock Planning Board

Re: NYS Uniform Fire Code — Fire Apparatus Access Road — Eastwoods Drive

Dear Melissa,

Please place this memorandum with the Woodstock Planning Board application record for Zena Development LLC, PB# 25-1237, SPR# 25-0390 and WWP# 25-0260, and make the cited source materials available with the record. *Public Officers Law §103(e) provides for public access, upon request and to the extent practicable, to agency records scheduled to be discussed at an open meeting, generally at least 24 hours before the meeting.* This memorandum addresses fire-code questions raised by the proposed use of Eastwoods Drive as the sole access to the proposed Zena Development subdivision. It does not offer a legal opinion or recommend an outcome, and no decision has been reached on any pending application. It identifies source materials that bear on questions the Board will be asked to consider at the September 17, 2026 meeting.

Background. On September 9, 2026, Tana and Thomas O’Sullivan submitted a letter to the Woodstock Planning Board concerning NYS Uniform Fire Code and Fire Apparatus Access Road (FAAR) requirements as they apply to the proposed use of Eastwoods Drive as access to the 30-lot Zena Development subdivision in the Town of Ulster. That letter reproduces in full two written communications from Bryant Arms, Code Compliance Specialist II, NYS Department of State, Division of Building Standards and Codes, dated July 28, 2026 and August 19, 2026 (collectively “DOS”). The O’Sullivan letter and the DOS communications are in the record. The material below summarizes the DOS responses and identifies the specific code provisions cited. It should be read alongside the O’Sullivan letter and the DOS communications themselves, which control.

Project description — dwelling units. The Ulster Planning Board’s SEQRA Negative Declaration, adopted August 25, 2026, and its FEAF Part 3 Attachment dated August 11, 2026, describe the project as a 32-lot subdivision consisting of 30 single-family residential lots, one lot for a 2,400 square-foot accessory recreation/fitness facility, and one non-buildable lot to be transferred to the Ruby Rod & Gun Club. The applicant has committed to a map note prohibiting two-family homes without further Ulster Planning Board review. (FEAF Part 3, p. 1; UPB Resolution, August 25, 2026.) Eastwoods Drive currently provides access to several existing homes. The total number of dwelling units served by Eastwoods Drive as the sole access road — including both the 30 proposed new units and the existing residences — is relevant to the applicability of NYS Fire Code Appendix D §D107.1, which addresses developments where the number of dwelling units exceeds 30 on a single fire apparatus access road.

Current status of Eastwoods Drive. The DOS August 19, 2026 response states that a Fire Apparatus Access Road (FAAR) is a road that complies with Section 503 of the 2025 Fire Code of NYS (FCNYS), and that an Emergency Vehicle Access (EVA) driveway is vehicle access that

complies with Section 511 of the 2025 FCNYS. Based on the description provided to DOS — that Eastwoods Drive is an existing 15 to 19-foot wide dirt road serving 5 existing dwellings — DOS states that Eastwoods Drive’s status as an EVA or adequate FAAR depends on the date it was approved for construction and that the existing houses presumably predate the relevant requirement. The DOS response further states that Section [NY]511.2.6 of the 2025 FCNYS prohibits increasing the number of buildings served by an EVA driveway when it already serves four or more. (DOS, July 28, 2026.)

FAAR requirement for new buildings. DOS states that Section [NY]503.1.1 of the 2025 FCNYS requires permits for constructing new buildings to be predicated on their access to a FAAR, and that the FAAR must be functionally complete before the building permits that depend on it can be issued, pursuant to Section 501.4 of the 2025 FCNYS. DOS further states that “a construction permit cannot be issued for any of the new buildings if the new FAAR for those buildings is incomplete,” and that “the only access to a new FAAR cannot be from an EVA driveway even if that happens in a neighboring jurisdiction.” (DOS, July 28, 2026.)

FAAR width requirements. Section 503.2.1 of the 2025 FCNYS establishes a minimum unobstructed width of 20 feet for a FAAR, exclusive of shoulders. However, DOS states that Section [NY]503.1 requires FAARs to also satisfy the provisions of Appendix D of the 2025 FCNYS. Section D103.1 of that appendix increases the minimum width to 26 feet where a fire hydrant is also being provided along the FAAR. Table D103.4 requires dead-end FAARs that exceed 500 feet in length to have a minimum width of 26 feet. (DOS, July 28, 2026.) The applicant proposes a 20-foot gravel carriageway for the Woodstock portion of Eastwoods Drive. (Gladd, Sept. 2, 2026, p. 1; MJ Engineering, July 31, 2026, p. 2 of 5.) The Ulster portion of the proposed road is designed as a 20-foot asphalt surface with an additional 6-foot graded shoulder. (FEAF Part 3, p. 3.) DOS states that a FAAR may not get narrower as it gets closer to a firehouse. (DOS, August 19, 2026.)

Table D103.4 — dead-end FAAR requirements. Table D103.4 of the 2025 FCNYS establishes the following requirements for dead-end fire apparatus access roads:

0–150 feet: 20-foot width; no turnaround required.

151–500 feet: 20-foot width; 120-foot hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac required.

501–750 feet: 26-foot width; 120-foot hammerhead, 60-foot “Y” or 96-foot diameter cul-de-sac required.

Over 750 feet: Special approval required.

DOS states that the proposed FAAR, at approximately 8,873 feet in total length, far exceeds the 750-foot threshold and would require special approval for turnaround compliance. DOS states that such expertise should at least include minimum operating parameters from the local fire department and the county’s emergency management department, and that the town’s engineering experts should be given the opportunity to consider the viability of the new FAAR’s design. DOS further states that the “special approval” required for FAARs exceeding 750 feet “does not negate the minimum widths being required by other sections of the 2025 FCNYS.” (DOS, July 28, 2026.)

Cross-municipal FAAR length. DOS states: “If Eastwood Drive in the Town of Woodstock is improved to comply with Section 503 of the 2025 FCNYS, then it would be a FAAR. That includes compliance with Table D103.4 of the 2025 FCNYS for its dead-end length. The length of a dead-end FAAR is measured from the FAAR’s access point to its dead end even if the FAAR crosses municipal boundaries.” (DOS, August 19, 2026.) Note: DOS uses the spelling “Eastwood Drive”; the reference is to Eastwoods Drive in the Town of Woodstock. The proposed combined length of the Woodstock portion (approximately 3,400 feet) and the 1,200-foot extension into Ulster is therefore measured as a single dead-end FAAR for purposes of Table D103.4.

Variance authority. DOS states that only the Department of State Division of Building Standards and Codes can provide a variance from the Uniform Code’s standards, and that the local Zoning Board of Appeals cannot grant such a variance. Section [NY]112.2 of the 2025 FCNYS states: “Nothing in this code shall be construed as permitting any building official or any authority having jurisdiction to waive, vary, modify, or otherwise alter any provision or requirement of this code or any other provision or requirement of the Uniform Code.” (DOS, July 28, 2026; DOS, August 19, 2026.)

What is not presently in the record. MJ Engineering, July 31, 2026, p. 5 of 5 (PDF p. 9), states that the Town of Woodstock fire inspector found the roadway width and material acceptable and that the Town of Ulster Fire Inspector found the overall design acceptable. Neither determination is identified by name, date, scope of review, or attached written document. The record does not presently contain the written Woodstock fire-inspector determination, any analysis of the proposed FAAR against Table D103.4’s dead-end length requirements measured from the access point across both municipalities, or any independent Woodstock engineering review of the proposed access arrangement in light of the DOS guidance now in the record.

Current code enforcement responsibility. The Town has experienced a change in building and code-enforcement personnel since the fire inspector determination referenced by MJ Engineering was reportedly made. The record should identify who is currently authorized to make the relevant FAAR compliance determinations for the Town of Woodstock and whether current code enforcement staff has had the opportunity to review the application materials, the MJ Engineering letter, and the DOS correspondence now in the record.

Addendum — September 15, 2026. After this memorandum was prepared, two additional communications were received that bear on the fire-code questions addressed above.

First, on September 14, 2026, Donna Albright, a 51-year resident of Zena Highwoods Road and 20-year active member of Woodstock Fire Department Company #4, submitted a letter to the Woodstock Planning Board and Town officials stating that, according to the Woodstock FD Commissioners, the Woodstock Fire Department would not be responsible for the proposed Zena Development subdivision in the Town of Ulster. Ms. Albright states that the Ruby and Sawkill fire departments would have primary responsibility, with Company #4 potentially responding to mutual aid calls. She further states that Company #4 currently has only three interior firefighters capable of entering burning structures, that membership is predominantly 50 years of age or older with some members in their 70s and 80s, and that the department is predominantly volunteer. Ms. Albright’s letter calls on the Planning Board to meet with the Woodstock Fire

Commissioners and members of Company #4 before granting any waivers related to the Zena Development project. (Albright to Woodstock Planning Board, September 14, 2026.)

Second, on September 15, 2026, Alec R. Gladd of Cuddy + Feder responded to Ms. Albright's letter through the Planning Board clerk, stating that the applicant's position is that calls originating from the project will be routed by Ulster County 911 to the Ruby Fire District, and that the Town of Ulster has a contract with Empress EMS for medical calls. Mr. Gladd references "our October 7, 2026 submission" as the source of this information. As the September 17, 2026 meeting has not yet occurred, the correct date of that submission — whether October 7, 2025 or another date — should be clarified and the referenced exhibit identified in the record. (Gladd to Grey, September 15, 2026.)

That October 7 date question aside, the exhibit Mr. Gladd references by that description does not appear, under that description, in the June 30, 2025 record. The Exhibit B submitted with the June 30, 2025 Cuddy + Feder letter is the 2024 Ulster County EMS Services Delivery Report, a county-wide EMS capacity study prepared by the Center for Public Safety Management, LLC. That report states a county-wide EMS response rate and reprints news articles on EMS staffing conditions in other jurisdictions; it does not identify Ruby Fire District, Sawkill Fire Department, or Empress EMS, and does not state a call-routing determination for the Project. If the document Mr. Gladd is referring to is a different exhibit bearing the same label in a later submission, the record should distinguish it from the June 30, 2025 Exhibit B to avoid the two being conflated. (Gladd to Woodstock Planning Board, June 30, 2025, p. 2, and attached Exhibit B.)

Exhibit B's own appended materials also bear on the letter's conclusion. The copy of Exhibit B in the record includes, near its end, a reprinted July 29, 2023 news article reporting that the national shortage of EMS personnel has reached "crisis level," that the effect falls hardest on rural counties, and that one state alone lost approximately 800 EMS providers per year over several years. The article describes the shortage as an ongoing decline that requires active intervention to sustain service levels, rather than a static condition. The June 30, 2025 letter's conclusion that the Project's anticipated EMS call volume is negligible does not address this material, which appears within its own supporting exhibit.

These communications are noted here because they bear directly on the questions this memorandum identifies: which fire department or departments will actually serve the proposed subdivision, under what agreement or obligation, and whether the local fire code official with jurisdiction has made a current, written determination on those questions based on the roadway design now before the Board.

The purpose of this memorandum is to place the relevant fire-code source materials and the outstanding professional-review questions in one place before the Board. 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. Bryant Arms, Code Compliance Specialist II, NYS Department of State, Division of Building Standards and Codes, email dated July 28, 2026.
2. Bryant Arms, Code Compliance Specialist II, NYS Department of State, Division of Building Standards and Codes, email dated August 19, 2026.
3. Tana and Thomas O'Sullivan, letter to Woodstock Planning Board, September 9, 2026 ("NYS Uniform Fire Code & FAAR Concerns — Zena Development LLC"), reproducing items 1 and 2 verbatim.
4. Walter F. Lippmann, P.E., MJ Engineering and Land Surveying, P.C., letter to Town of Ulster Planning Board, July 31, 2026, PDF pp. 5–9 (Exhibit A to Cuddy + Feder September 2, 2026 submission).
5. Alec R. Gladd, Cuddy + Feder, letter to Woodstock Planning Board, September 2, 2026.
6. Town of Ulster Planning Board, Resolution Adopting a SEQRA Negative Declaration for the Zena Homes Subdivision (SBL: 39.1-1-21.100), August 25, 2026.
7. SEQRA Full Environmental Assessment Form Part 3 Attachment, August 11, 2026, prepared in connection with the Zena Homes Subdivision.
8. Donna Albright, letter to Woodstock Planning Board and Town officials, September 14, 2026.
9. Alec R. Gladd, Cuddy + Feder, email to Melissa Grey, Woodstock Planning Board, September 15, 2026, forwarded to Planning Board members.
10. 2025 Fire Code of New York State (FCNYS): Sections 501.4, 503.1, [NY]503.1.1, 503.2.1, [NY]511.2.6, Appendix D Sections D103.1, D103.4 and Table D103.4, [NY]D107.1, [NY]112.2.
11. Alec R. Gladd, Cuddy + Feder, letter to Woodstock Planning Board, June 30, 2025.
12. Exhibit B to the June 30, 2025 letter: 2024 Ulster County EMS Services Delivery Report, Center for Public Safety Management, LLC / ICMA.