

NARRATIVE IN SUPPORT OF AREA VARIANCE REQUEST

Town of Woodstock Zoning Board of Appeals

ZBA Case: 26-05

Applicant: Aaron Yassin / Glasco Ridge LLC

Property: Glasco Turnpike, Town of Woodstock, Ulster County, NY

Tax Map Reference: SBL 27.2-2-6.120

Zoning District: R-3 (3-acre minimum lot area)

Relief Requested: Area variance from minimum lot area requirement (NYS Town Law §267-b; Town Code §260-16, Attachment 2-R3; §202-28(D)) to permit a two-lot residential subdivision of an existing 5.190-acre parcel, resulting in Lot 1 of 3.00 acres (conforming) and Lot 2 of 2.19 acres (nonconforming; variance required).

Project Description

Glasco Ridge LLC requests a single area variance — minimum lot area only — to permit a two-lot residential subdivision of a 5.190-acre parcel located on Glasco Turnpike in the R-3 zoning district. No other dimensional variance is requested.

The proposed subdivision creates Lot 1 (3.00 acres, fully conforming) and Lot 2 (2.19 acres, nonconforming as to minimum lot area). The parcel was acquired by the applicant in January 2026 and is currently vacant woodland.

The intent of the subdivision is to develop two modest single-family homes designed to Passive House energy performance standards. Passive House construction — the most rigorous residential energy-efficiency standard available — reduces heating and cooling energy consumption by approximately 80–90% compared to conventional construction, eliminates reliance on fossil fuels, and minimizes the long-term environmental footprint of the homes throughout their useful life. Both completed homes are intended for sale to individual residential buyers for owner-occupancy.

The subdivision plan has been designed to minimize visual and environmental impact. Both homes are sited deep within the parcel, screened from Glasco Turnpike by existing mature woodland. A single shared driveway serves both lots, reducing impervious surface, limiting clearing, and resulting in one curb cut on County Route 40 — the same curb cut that would serve the parcel under any single-house by-right development. Existing wooded buffers and natural site features are intended to remain substantially intact.

Analysis Under NYS Town Law §267-b(3)(b)

Under NYS Town Law §267-b(3)(b), the Zoning Board of Appeals is required to balance the benefit to the applicant against the detriment to the health, safety, and welfare of the neighborhood or community, considering the following five factors. The applicant addresses each factor in turn.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance.

Granting this variance will not produce an undesirable change in neighborhood character. The R-3 district is a low-density residential district, and the proposed use — two single-family homes on large wooded lots — is precisely the use the district is designed to accommodate.

The Acreage Comparison Map (Drawing T-002.00) submitted with this application makes this point with particular clarity. The map identifies every parcel within the R-3 district that is less than three acres in area. The result is striking: a significant number of sub-three-acre lots are distributed throughout the district on both sides of the subject parcel, extending across the full length of the Glasco Turnpike corridor. Many of these existing lots are smaller than the proposed Lot 2 at 2.19 acres — in some cases substantially smaller. Sub-three-acre residential lots are not an anomaly in this district; they are a defining and pervasive feature of the neighborhood as it actually exists on the ground.

This matters because the question under Factor 1 is whether granting the variance will produce an “undesirable change” in neighborhood character. Where the neighborhood already contains numerous lots of the same scale — on both sides of the applicant’s parcel, and many smaller than what is proposed — the proposed Lot 2 introduces nothing the neighborhood does not already contain. Granting the variance is consistent with the existing character of this residential corridor; denying it would produce an outcome — only one home on 5.19 acres — that is less representative of how this neighborhood is actually built out.

Both homes are designed to be invisible from Glasco Turnpike. The building envelopes are located well within the parcel, behind an existing mature woodland buffer that will be substantially preserved. A single shared driveway is the only new feature visible at the road frontage. Neighboring properties will not be adversely affected by the proposed development.

It is also instructive to compare the proposed development to the by-right alternative. As of right, the applicant could construct one home on the undivided 5.19-acre parcel

with no variance, no public hearing, and no conditions — a home of any size, with any number of driveways, cleared to any extent permitted by setbacks. The proposed variance enables a development outcome — two modest homes, one driveway, deep woodland siting, and Passive House performance standards — that is more consistent with the rural character of Glasco Turnpike than the unconstrained by-right development the parcel currently allows.

2. Whether the benefit sought by the applicant can be achieved by some feasible method other than a variance.

No feasible alternative to a variance exists on the current parcel configuration.

Town Code §260-20 provides the only non-variance mechanism for creating sub-minimum lots in the R-3 district. That provision requires a minimum parcel of sufficient size that the formula — total acres divided by twice the minimum lot area — yields at least one undersized lot. Applied to this parcel: $5.19 \div 6.00 = 0.865$, which rounds down to zero. No undersized lots may be created under §260-20. The permitted modification is simply unavailable.

Prior to filing this application, the applicant explored the alternative of acquiring additional acreage from an adjacent parcel owner, which would bring the total parcel area to approximately 6.0 acres and allow a two-lot subdivision with no variance. That negotiation is ongoing. The applicant pursues this variance application simultaneously because the timeline for that acquisition remains uncertain, not because the applicant has chosen the variance path over the conforming path. If the adjacent land acquisition is completed, this application will be withdrawn.

There is no lot line rearrangement, dimensional adjustment, or other design modification that can produce two conforming R-3 lots from a 5.190-acre parcel. The variance is the only currently available path to the proposed development.

There is also a practical dimension the Board may wish to consider. Passive House construction — the standard to which both proposed homes will be built — costs significantly more than conventional residential construction. The premium reflects enhanced insulation assemblies, precision air-sealing, mechanical ventilation systems, and high-performance windows and doors that together produce the dramatic energy reductions described in this application. Building two homes on this parcel is what makes this level of design and construction quality financially viable. A single Passive House home on a 5.19-acre parcel, by itself, could not support the same investment. The variance does not merely permit an additional lot — it enables two homes built to a rigorous environmental standard that benefits the community. The Town of Woodstock,

in granting this variance, would be encouraging exactly the kind of intelligent, forward-thinking construction it has expressed interest in promoting.

3. Whether the requested variance is substantial.

The applicant acknowledges that the requested variance — Lot 2 at 2.19 acres, or 0.81 acres (27%) below the 3-acre minimum — is not trivial, and addresses this factor directly.

Several considerations bear on the substantiality assessment. First, at 2.19 acres, Lot 2 exceeds the 2-acre floor that Town Code §260-20 itself establishes as the minimum permissible lot size in the R-3 district under any circumstances. The proposed lot is within the range the code recognizes as a possible R-3 lot size; only the mechanism for achieving it (variance rather than the §260-20 formula) differs.

Second, the applicant has structured the subdivision to request a variance on one lot only. By allocating exactly 3.00 acres to Lot 1 — achieving full conformity on that lot — the variance burden is concentrated on a single nonconforming lot rather than spread across two. This was a deliberate choice to minimize the scope of relief requested.

Third, the allocation of 2.19 acres to Lot 2 reflects genuine physical constraints on the property. The eastern portion of the parcel is subject to a stream corridor and its mandatory 100-foot buffer. These environmental features limit the practical buildable area on Lot 2 in ways that cannot be engineered around. The acreage allocation is a response to site conditions, not a choice to maximize the variance.

Fourth, the purpose of the R-3 three-acre minimum is to preserve rural residential character and prevent sprawl. The proposed development — two modestly scaled homes on large wooded lots with a single shared driveway — is fully consistent with that purpose. The variance is a modest numerical departure from a minimum designed to protect the very character that this project preserves.

Fifth, the development enabled by this variance will be served by a single shared driveway — one curb cut on County Route 40. By contrast, a single large conventional home on the undivided 5.19-acre parcel could have multiple points of access, be cleared to a far greater extent, and impose substantially more physical presence on the surrounding properties. The 27% numerical departure from the minimum lot area overstates the practical impact of the variance on the neighborhood relative to the by-right alternative it replaces.

Substantiality is one factor among five in the statutory balancing framework, and does not independently preclude relief. *Matter of Sasso v. Osgood*, 86 N.Y.2d 374 (1995). The applicant respectfully submits that when the considerations above are weighed as a

whole, the variance is the minimum relief necessary to achieve a legitimate residential use of this parcel.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The proposed variance will not have an adverse effect on physical or environmental conditions. The following site-specific facts support this conclusion.

The parcel is not located within a FEMA-designated 100-year floodplain. The stream corridor traversing the eastern portion of the parcel is identified on the concept plan, and a 100-foot buffer is observed throughout the proposed subdivision layout. No building envelopes, septic fields, or well locations are proposed within the stream buffer.

Both homes will be designed and constructed to Passive House performance standards. This means energy consumption dramatically reduced compared to conventional construction, no fossil fuel heating or cooling systems, and a minimal ongoing environmental footprint. These are among the most environmentally responsible residential buildings that can be constructed.

The shared driveway arrangement limits impervious surface to a single access corridor, reduces clearing and grading relative to two independent driveways, and produces a single curb cut on County Route 40 — consistent with the access pattern that would exist for any by-right single-home development on the parcel.

Septic system locations shown on the concept plan are conceptual only and are subject to percolation testing and approval by the Ulster County Health Department and the NYS Department of Health prior to any construction. Well locations are similarly conceptual and subject to health department review. No final construction will occur without all required health department approvals.

The environmental performance of the proposed homes warrants direct comparison to the by-right alternative. A single conventionally-built home on the undivided 5.19-acre parcel — which the applicant could construct today without any variance — would carry no energy performance requirement and could be of any size. Two homes built to Passive House standards will together consume less combined heating and cooling energy than a single conventional home of comparable total floor area. The variance does not produce a worse environmental outcome for the district; it produces a measurably better one.

The application was prepared in conjunction with a Short Environmental Assessment Form (Part 1) for purposes of SEQRA review. No significant adverse environmental impacts were identified.

The Acreage Comparison Map (Drawing T-002.00) further supports this conclusion. As described under Factor 1, the R-3 district already contains a significant number of sub-three-acre lots distributed on both sides of the subject parcel throughout the Glasco Turnpike corridor — many of them smaller than the proposed 2.19-acre Lot 2. The physical and environmental conditions of this neighborhood have already absorbed this scale of residential development without adverse consequence. Granting the variance does not introduce a new or untested condition; it authorizes a lot size already well-represented in the surrounding district. The Board's approval here would be consistent with the conditions that already characterize this neighborhood, not a departure from them.

5. Whether the alleged difficulty was self-created.

The applicant acknowledges that, as the owner of a parcel that does not meet the minimum lot area required for two-lot subdivision, the difficulty in some sense arises from the configuration of the property. As the application form itself notes, however, self-created hardship “will not necessarily preclude the granting of an area variance.” This factor is one among five in the statutory balancing framework and does not independently bar relief. *Matter of Sasso v. Osgood*, 86 N.Y.2d 374 (1995).

The parcel was acquired as a 5.190-acre parcel of record. The applicant did not create a nonconforming parcel by subdivision or manipulation — this is the parcel as it exists. The applicant explored the conforming alternative (adjacent land acquisition) before filing this application, and that process is ongoing.

The purpose of the proposed development is to construct two modest, high-performance residential homes for sale to individual buyers — an entirely ordinary residential land use that the R-3 district is designed to accommodate. This is not a speculative or commercial project, and the applicant is not seeking to maximize density or extract the maximum number of lots from the parcel. The request is for the minimum relief necessary to achieve a legitimate residential use of the property.

The applicant also notes that the kind of development this variance enables — two carefully sited homes built to the most rigorous residential energy standard available, preserving the natural character of the land — is precisely the kind of thoughtful, forward-looking construction that a community committed to sustainability would want to encourage. The difficulty arises from the configuration of the parcel; the response to that difficulty reflects the values Woodstock has long expressed.

Conclusion

The applicant respectfully submits that the balance of factors under NYS Town Law §267-b(3)(b) supports granting the requested area variance. The proposed subdivision will not harm neighborhood character — it will produce a development outcome more consistent with R-3 rural character than the unconstrained by-right development the parcel currently allows. No feasible conforming alternative exists at this time. The variance is the minimum necessary to achieve a legitimate residential use. There are no adverse environmental impacts. And while the difficulty is partly inherent in the parcel configuration, that factor alone does not preclude relief under controlling New York law.

Two modest, sustainable, carefully sited homes in the woods, served by one driveway, built to the highest residential energy-efficiency standard available — this is what the variance enables. The applicant respectfully requests that the Zoning Board of Appeals grant the relief sought.

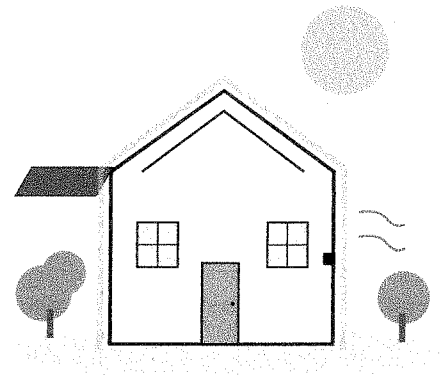
Submitted by:

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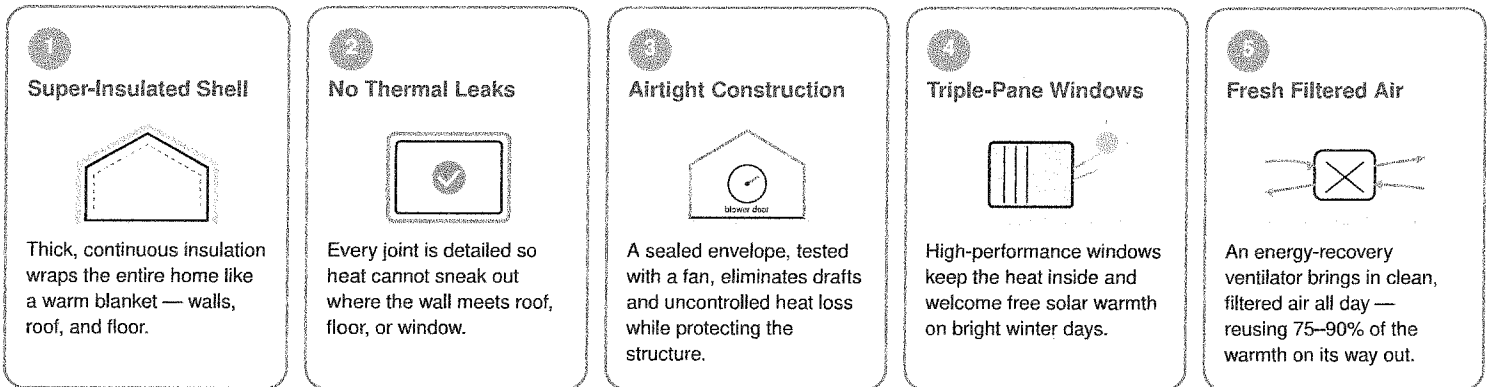
Date: May 7, 2026

A warm, quiet, healthy home that uses *almost no energy.*

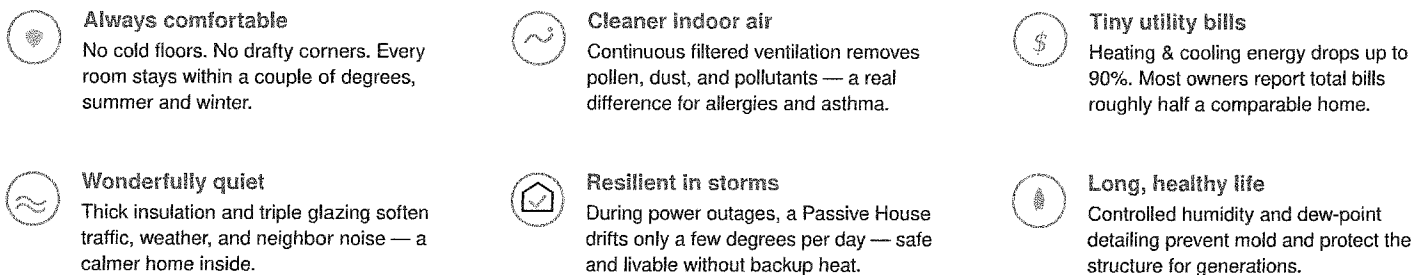
A Passive House is a building designed to a rigorous, performance-based standard used worldwide for more than thirty years. By following five simple principles, it stays comfortable year-round on a tiny fraction of the energy a typical home requires — with no special technology, just thoughtful design.



The *five* principles



Why people *love* living in one



Good for the *climate, too.*

Buildings produce roughly 40% of global carbon emissions. Because Passive House cuts heating and cooling demand so deeply, a modest solar array plus a heat pump can carry a home to net-zero, all-electric.

≈90%
LESS HEATING &
COOLING ENERGY

≈50%
LESS WHOLE-
BUILDING ENERGY

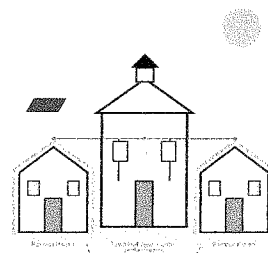
40%
OF GLOBAL CO₂ FROM
BUILDINGS

Net 0
WITH SOLAR + HEAT
PUMP

A natural fit for *Woodstock*.

For more than a decade, the Town of Woodstock has put real, measurable commitments to climate, environment, and rural character on the public record.

Passive House is a way of building *private* homes to the same standard the Town has already chosen to hold its own buildings to.



“...wisely manage land development and carefully protect the environment so that Woodstock remains a rural community with a balanced approach to sustaining its natural and cultural heritage.”

TOWN OF WOODSTOCK COMPREHENSIVE PLAN, 2018

What Woodstock has *already done*

- ✓ **Bronze-certified Climate Smart Community** — the Town signed the State’s Climate Smart pledge and earned formal certification.
- ✓ **Cut municipal greenhouse gas emissions by more than 40%** between 2011 and 2019.
- ✓ **Replaced fossil-fuel heat in Town Hall and the Highway Garage** with ground-source heat pumps.
- ✓ **Sourced ~90% of municipal electricity from zero-carbon generation** through Community Distributed Generation contracts.
- ✓ **Installed solar PV on Town Hall and the Highway Garage** — over 30 kW of municipal generation.
- ✓ **Adopted a Comprehensive Plan with sustainability elements (2018)** and maintains a Natural Resources Inventory and Environmental Commission.
- ✓ **Adopted a Unified Solar Permit and installed public Level-2 EV charging.**

Where Passive House *extends* the work

Buildings are responsible for roughly 40% of all carbon emissions.

Woodstock has greened its *own* buildings — but municipal buildings are a small share of the Town’s total energy footprint. Most of the Town’s heating, cooling, and electricity is consumed in the homes that line its roads.

Passive House construction extends the standard the Town has chosen for itself into the privately-built residential stock. A Passive House home requires no oil, no propane, no gas. It runs on the same grid the Town has already worked to decarbonize, and pairs effortlessly with the rooftop solar Woodstock’s own permitting now welcomes.

It is, in plain terms, the residential equivalent of what Woodstock did to Town Hall — a smaller mechanical system, a quieter exterior, no fossil combustion, and dramatically less energy consumed for the same comfort. A handful of these homes does for a single street what the Town has spent fifteen years doing for its public buildings.

WOODSTOCK VALUE

Preserving the rural, wooded character of residential corridors.

PASSIVE HOUSE DELIVERS

Smaller mechanical systems, no propane tanks, no exterior condensers running — a quieter, less industrial exterior.

WOODSTOCK VALUE

Environmental preservation as a stated priority of the Comp Plan.

PASSIVE HOUSE DELIVERS

Up to 90% less heating & cooling energy. No fossil combustion on site. Lower lifetime impact on local air and watershed.

WOODSTOCK VALUE

Sustainable, balanced growth that lasts.

PASSIVE HOUSE DELIVERS

Long-lived, durable buildings with controlled humidity and dew-point detailing — less maintenance, less waste, fewer climate liabilities for future owners.

WOODSTOCK VALUE

Climate Smart leadership in the Hudson Valley.

PASSIVE HOUSE DELIVERS

Private homes that meet the same standard the Town has already met for itself — the residential complement to municipal climate action.

Two modest, sustainable homes, deep in the woods, served by one driveway, built to the highest residential energy standard available. This is the kind of construction Woodstock has consistently said it wants.