

**STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
FULL ENVIRONMENTAL ASSESSMENT FORM (FEAF)
PART 3 ATTACHMENT
Evaluation of the Magnitude and Importance of Project Impacts**

PROJECT DESCRIPTION:

Zena Development, LLC (Applicant) is proposing a residential subdivision (Zena Homes) of a 106.6-acre parcel of land located in the Town of Ulster, New York that will be accessed via an existing private road known as Eastwoods Drive (Project Site). A majority of the Project Site is located within the Town of Ulster R-60 Residence District and is subject to a minimum lot area requirement of 60,000 square feet (SF) per lot. The Site is presently undeveloped, mostly forested land, identified as Section 39.1 Block 1 Lot 21.100 on the Town of Ulster official tax map (Ulster Parcel). The remainder of the Project Site is located in the Town of Woodstock and consists of an existing private road known as Eastwoods Drive on parcels identified as Section 38.2 Block 1 Lots 43 and 44 on the Town of Woodstock official tax map, an active FAA airstrip and existing driveway to an existing residence (on parcel 38.2-1-39) on a 54.28-acre parcel of land, identified as Section 38.2 Block 1 Lot 38.100 on the Town of Woodstock official tax map (Woodstock Parcels).

The Applicant is seeking subdivision approval from the Town of Ulster Planning Board for 30 new residential lots. The applicant has clarified that all lots are proposed for single-family detached dwellings. No two-family homes are proposed. The application also seeks site plan approval for the development of a 2,400 SF accessory rec/fitness facility for use by the Project's residents on a separate lot, as well as a 2.34-acre non-buildable lot that will be transferred to the adjacent Ruby Rod & Gun Club, Inc., for a total of 32 lots in the Town of Ulster.

The Applicant is also seeking minor subdivision, site plan and wetland and watercourse permit application approvals from the Town of Woodstock Planning Board to improve portions of the existing private roadway known as Eastwoods Drive and to extend it approximately 1,200 feet to the Ulster Parcel. Eastwoods Drive is an existing private road located in the Town of Woodstock that currently provides access to several homes. Eastwoods Drive will be upgraded to meet standards required by the Woodstock Planning Board. Upgrading and extending Eastwoods Drive is the only proposed development in Woodstock. There is no plan or intention to further develop the 500+ acres of land located in the Town of Woodstock owned by the Applicant.

Each lot is proposed to be served by individual well and septic systems. The Applicant is proposing to replace any necessary tree clearing for the well and septic areas with native grasses.¹ It is not clear whether the current layout is fully viable based on septic design. The Town Engineer has indicated that the current septic strategy is not viable and requires redesign, which may require the enlarging of certain lots. The Town Engineer has indicated that he has reservations as to whether the Ulster County Health Department or the Town of Ulster would require a community septic system to support the development. No field soil data has been provided and the Town Engineer has noted that the tabletop information provided, indicates the possibility that Community Septic Systems may be required, which would require

¹ This excludes the immediate area around the proposed homes, which will likely use a typical lawn seed mix.

a significant redesign of the layout. The Town Engineer has also identified practical difficulties with the current stormwater management design and some road standards which may further require redesign of the lot layout. It is understood that actual soil conditions may require significant redesign of the project, while the road and stormwater may require some smaller-scale adjustments.

The applicant has made the case that the proposed number of residential lots is significantly less than what could be permitted in the Town of Ulster R-60 District. Based on zoning density alone and assuming 10% of lot area devoted to roads, the 106.6-acres available could yield 69 new residential lots. The applicant had submitted a conceptual layout that showed 67 lots, but has chosen to pursue the existing proposal instead. The Planning Board did not assess earlier concepts including the 67-lot plan and cannot verify their viability. The current layout exhausts the majority of land that is not constrained by non-jurisdictional wetlands and the steepest slopes. Further development in most of the conserved land would be costly and practically difficult if not impossible due to soil constraints described previously. However a number of additional lots and more land clearing may be possible under code. As stated in the project description, the current number of proposed lots may not be viable depending on the actual observed depth to bedrock and soil infiltration rates.

The Applicant has proposed to include a note on the plat to be recorded in the County Clerk's Office that no further subdivision is permitted on the Ulster Parcel. The project sponsor proposes an 819,920 SF "Conservation Area" across lots 16, 17, 18 and 19 (i.e., four of the largest lots), which area will be deed restricted from any further development.

In the Town of Ulster, the Project Sponsor proposes a private road system to access the 30 new residential lots that will meet the subdivision design standards and Town of Ulster specifications for new roads, except where the Town of Ulster provides design flexibility to provide reduced impervious surfaces for the purposes of reducing stormwater and grading impacts.

As previously stated, it is anticipated that on-site soil testing could result in significant changes to the project layout (including possibly the requirement for a community septic facility) that would require reconsideration of this SEQR analysis. The Lead Agency may require this information to be provided prior to making its determination of significance.

HISTORY OF SEQR PROJECT REVIEW

The Project Sponsor submitted an application for Subdivision along with an EAF Part 1 in April of 2024. Given that the project relied on road access from the Town of Woodstock, the Town of Ulster Building Department required the applicant to demonstrate access was available from the Town of Woodstock. On May 13, 2025 the Town of Ulster Planning Board declared its intent to assume lead agency to the following agencies:

- Town of Woodstock Planning Board
- Town of Woodstock Building Department
- Town of Woodstock Fire Department
- Ruby Fire Department
- Ulster County Health Department
- Ulster County Planning Board

- New York State Department of Environmental Conservation
- New York State Office of Parks, Recreation and Historic Preservation
- United State Army Corps of Engineers

On or around June 5, 2026 the Town of Ulster Planning Board received an objection from the Town of Woodstock Planning Board, which contested the Town of Ulster Planning Board assuming Lead Agency. On or around October 29, 2025 the Commissioner of the New York State Department of Environmental Conservation designated the Town of Ulster Planning Board as Lead Agency. On December 9, 2025, the Planning Board adopted an FEAFF Part 2 identifying several potential moderate and large impacts, and instructed the applicant to prepare a draft FEAFF Part 3 identifying the importance and magnitude of the impacts identified in the Part 2. On December 18, 2025 the project sponsor submitted a draft proposed Part 3. Additionally, based on feedback from the Planning Board and its consultants subsequent to the December 18 submission and prior to March 6, 2026, the project sponsor submitted significant additional information in support of its arguments as to why the project, in their opinion, would not result in any significant adverse environmental impacts.

DISCUSSION OF MODERATE AND LARGE IMPACTS IDENTIFIED IN THE FULL EAF PART 2:

The lead agency must complete Part 3 of the FEAFF for every question in the Part 2 FEAFF where an impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact. Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. The Lead Agency is instructed to consider the magnitude of impacts, including the severity, size or extent of an impact. The Lead Agency is also instructed to assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur. Lastly, the Lead Agency is also instructed to consider any design element or project changes.

Impact on Land

The Proposed Action may involve construction on, or physical alteration of, the land surface of the Site. The Project will involve physical disturbance of approximately 30 acres within the 106-acre Ulster Parcel and 3 acres on the Woodstock Parcels. A majority of this disturbance in Ulster is related to clearing necessary for installation of homesites, well and septic areas and the Applicant proposes to replace any necessary tree clearing for the well and septic areas with native grasses.² For clearing along the new road rights of way, the Applicant is proposing to replant trees within the Ulster Parcel and in Woodstock. The Applicant is proposing to use a pollinator seed mix (Hudsonia/Town of Woodstock Approved) to stabilize disturbed areas as well as plant native shrubs. Approximately 5 acres of new roads, buildings and other paved or impervious surfaces will be permanently created within the Ulster Parcel and 0.44 acres of new impervious surfaces in the Town of Woodstock.³ As noted, the Applicant intends to restore 25 acres of the

² This excludes the immediate area around the proposed homes, which will likely use a typical lawn seed mix.

³ Approximately 1.33 acres of impervious surface exist on the Woodstock Parcels.

Project Site's disturbed land with native grasses, replanted trees and residential lawn area after construction.

b. The proposed action may involve construction on slopes of 15% or greater;

d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.

c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.

The Applicant, has modified the Project's layout to incorporate several changes such as walk-out basements, tiered septic systems, and road realignment, which has reduced the Site's total grading from approximately 95,000 cubic yards to approximately 10,500 cubic yards (cy) of material comprised of 93,000 cubic yards of cut and 103,500 cubic yards of fill. Because adequate geotech analysis has not been performed to date, it is not clear if the net cut is indicative of the total amount of construction vehicle trips generated. This is because it is not certain whether on-site materials will be reusable on-site. For example, the Town Engineer has indicated that on-site soils are likely not suited for construction of raised septic fields or road sub-base, meaning that 26,000 cubic yards or so of fill is likely necessary to be imported irrespective of the 10,500 cubic yards calculated by comparing required cuts and fill of the grading plan. Additionally, because this information is not known, it is not clear if the SEQR threshold of 1000 tons of excavation and removal will be exceeded and to what degree.

Import of 26,000 cubic yards of soils to accomplish the grading plan and construct the roads and septic facilities will create a significant amount of heavy construction vehicle traffic (in the range of 2000-2400 trips). This construction traffic can be significantly disruptive over Eastwoods Drive, which is a gravel road and proposed to remain so. **The Town of Ulster and the Town of Woodstock Planning Boards, are charged with and have the authority to provide appropriate maintenance schedules for road repair during construction to maintain the usability/accessibility of Eastwoods Drive by existing residents. It is assumed that standard best management practices will be required as part of SWPPP approval to fully mitigate construction impacts to the road. It is also possible that other area Woodstock Town Roads may be impacted by heavy construction traffic and that the Town of Ulster and Town of Woodstock can require restoration bonds as necessary to remediate any road damage caused as part of subdivision construction. §161-5 of the Town of Ulster Code allows the plan to request assurance from the Town Engineer that an access road across lad in another municipality is adequately improved , or that a performance bond has been duly executed and is sufficient in amount to assure the construction of the access road.**

The applicant proposes no blasting, and the use of portions of the site as former bluestone quarries suggest that grading activities can be accomplished through ripping and hammering. Given the shallowness of bedrock throughout the area and the project's required 93,000 cubic yards of gross cut, grading activities are likely to require significant time and effort. Adequate geotechnical information was not provided to verify depth to bedrock throughout the site. Additionally, it is not clear if the applicant is proposing rock crushing on-site.

While there are few new residences that may be impacted by noise generated during grading activities, significant impacts are possible to outdoor recreation users. The project sponsor has opined that

construction impacts are temporary and thus not significant. While the temporary nature of the impact is a consideration, we note that the magnitude of the potential impact has not been established and the duration of noise impacts could be excessive given the extent of grading required. Noise from grading is a particular concern on weekends and during peak times of recreational use of the adjoining areas.

Steep slope disturbance is limited to 0.77 acres. Most steep slope disturbance is related to construction of the new access road. The Applicant has attempted to avoid steep slopes to the maximum extent practicable and has sought to locate home sites on the flattest areas of the Site available. In response to concerns raised during the review, the Applicant has, through Project modifications, reduced the steep slope disturbance from 2.06 acres to the presently proposed 0.77 acres to avoid or minimize potential impacts.

In Woodstock, only 0.03 acres of steep slope disturbance are proposed. Accordingly, the Current Project is specifically designed to minimize land disturbance and preserve the natural features of the Project Site to the extent feasible. The Project is proposed to maintain the existing primarily pervious gravel roadway in Woodstock.

To further address the potential for an impact on land and to address additional concerns regarding same, the Applicant has clustered a majority of the home sites on the northern portion of the parcel with 75% of the development occurring on approximately 50% of the land area. The lots on the northern portion of the parcel are small, close to the 60,000 SF minimum lot size. By designing the Project in this way, a majority of the Project lots are sited on the flattest area of the Site to minimize negative environmental effects. Only 8 of the proposed 31 lots are located on the southern 50% of the site, which are similarly clustered along the eastern property boundary to avoid the ravine along the western property boundary. Indeed, the Applicant has, in response to concerns raised during the review, further altered the home locations to avoid impacts to this Site feature.

The Planning Board's Planning consultant has raised the possibility that a single access road with a mix of flag lots and frontage lots along with longer residential driveways may further reduce the need for grading, and help to avoid steep slopes further. Additionally, the Planner has suggested that an average density subdivision layout that allows zoning bulk standard flexibility could further reduce impacts. The project sponsor has indicated that flag lots and average density are not being sought for project financial reasons.

The applicant has adjusted its plans significantly to avoid steep slopes, and has indicated a willingness to adjust the road layout further if flexibility from State Codes are possible. The Town Engineer is unable currently to verify that the SWPPP is adequate to avoid impacts from grading activities.

As indicated elsewhere herein, the project is not visible from any significant public vantagepoint and visual impacts from steep slope disturbance are not likely.

a. the proposed action may involve construction on land where depth to water table is less than 3 feet; & f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).

The applicant has prepared a Stormwater Pollution Prevention Plan (SWPPP), consistent with the New York State Department of Environmental Conservation (NYSDEC) General Permit GP-0-20-001. The Town

Engineer has reviewed the SWPPP and has indicated that the project requires more information and redesign. The Town Engineer has indicated that shallow groundwater will require additional stormwater management practices to be employed and that dewatering operations may be significant seasonally. Shallow groundwater may also preclude the construction of basements for some structures, and require a different approach to stormwater management.

The Town Engineer has indicated that groundwater encountered during construction may be significant depending on time of year. The Town Engineer has indicated additional stormwater practices will be required to trap sediment.

The proposed sediment and erosion controls along Eastwoods Drive are designed to direct roadway runoff into vegetated areas along the northern roadside. These areas, which include grass filter strips and swales, provide multi-stage treatment that slows flow, promotes infiltration, and removes sediment. The pre-treated runoff is then conveyed through cross culverts beneath the road toward nearby wetlands in a way that protects hydrology and minimizes erosion. The Applicant has already incorporated and will continue to incorporate grass filter strips along the road to remove and trap sediment, in accordance with the Gesford and Anderson guidance on “Environmentally Sensitive Maintenance for Dirt and Gravel Roads” (December 2007), as suggested by the Town of Woodstock’s environmental consultant, Hudsonia.

In addition, the Project Sponsor proposes to incorporate Best Management Practices (BMPs) to ensure that water quality on Site will be protected. BMP's to be employed will include, but are not limited to, the following:

Temporary Erosion and Sediment Control Measures:

- Stabilized construction entrance to reduce sediment movement;
- Silt fencing placed around construction areas prior to grading activities;
- Diversion Channels and Inlet Protection to prevent runoff from leaving the Site;
- Land clearing activities shall be done only in areas where earthwork will be performed and shall progress as earthwork is needed;
- Temporary seeding and planting disturbed by construction activities within seven (7) days from the date the soil disturbance;
- Winter stabilization drainage structures and buffer; and
- Frequent watering to minimize wind erosion during construction.

Permanent Erosion and Sediment Control:

- Establishment of Permanent Vegetation; and
- Soil Restoration and Permanent Structural Practices.

The site contractor will be required to adhere to all erosion and sediment control measures as defined in the SWPPP. The Town Engineer has indicate that the SWPPP requires changes at this time.

e. The proposed action may involve construction that continues for more than one year or in multiple phases.

It is the intent of the Applicant to initially develop the entire road network in a single phase with all associated stormwater pollution prevent structures installed prior to any individual house construction. The result of this is that there will be more limited disturbance open at any one-time during construction of the Project. Moreover, to the Applicant's significant financial expense, the Applicant is proposing to sprinkle the homes in accordance with the NYS Fire Code to avoid the construction of, and the additional disturbance, grading and impervious surfaces necessary, for a secondary access road.⁴

Impacts from extended duration of soil disturbance can be adequately mitigated through best management practices incorporated into the SWPPP. The Town Engineer has indicated that the SWPPP is not adequate at this time.

Impact on Geological Features

The proposed action may result in the modification of or inhibit access to caves, cliffs and bluestone quarries.

It has been suggested that potential caves, "cliffs", and former bluestone quarries be investigated as potential unique or unusual landforms and be evaluated for their cultural and ecological value. However, this analysis has already occurred and is incorporated in the existing record (see Appendix: Exhibit A to November 17, 2025 submission). The Applicants ecological consultant, as part of the comprehensive Habitat Survey Report, assessed the Site's potential for bat overwintering habitat and other endangered or threatened species, and no caves that are suitable habitat were observed in the Project study area (see Exhibit A to November 17, 2025 submission). Furthermore, the Project has received a determination of no impact from the State Historic Preservation Office, which specifically identified the former Bluestone Quarry Pits on site and determined them ineligible for listing. Lastly, The Part 1 also did not populate any unique geological features nor does the NYS DEC Environmental Resource Mapper. In any case, most, if not all, of the features suggested will be preserved. Impacts to geological features are unlikely.

Impact on Surface Water

d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.

A Parcel Jurisdictional Determination was submitted to NYSDEC on February 12, 2025 for the Ulster Parcel (39.1-1-21.100). The 90-day review period expired May 12, 2025. A notification of failure to respond within the 90-day review period was sent by certified mail and received by NYSDEC on May 19, 2025 at 3:35 pm. The Department had 10 business days (until June 2, 2025) from receipt of this failure notification

⁴ The NYS Fire Code requires either a secondary access road or the sprinkling of homes. The Applicant opted for the sprinkling of the homes to reduce the environmental impact of the Project.

to provide a definitive answer. A definitive answer was not provided within 10 business days and the Parcel is now deemed waived of 6 NYCRR Part 664 freshwater wetland jurisdiction.

The Ulster Parcel wetlands fall under the jurisdiction of the Army Corps of Engineers (ACOE). Three separate wetland areas were identified on the Site totaling approximately 5.59 acres. Other than approximately 0.1 acres (1/10 an acre) of disturbance at two locations which are necessary to construct the proposed subdivision road, the subdivision layout is strategically designed to avoid any additional disturbance to any wetland, waterbody or watercourse on the Ulster Parcel. Additionally, although there are no State regulated wetlands, most home sites generally provide a 100-foot buffer from any wetlands on the Ulster Parcel.⁵

Notably, there is no other means of accessing the Ulster Parcel other than 0.04 acres of wetland disturbance at the entrance to the Site. The proposed wetland crossing was intentionally selected at its narrowest point to reduce the potential for negative environmental effects. The applicant proposes a culvert be installed to maintain connectivity of the wetland. The applicant proposes a combination of arch culverts and pipe buried 20% depending on location and size. The applicant proposes these measures to contain a natural material bottom to mimic existing conditions and to promote wildlife crossings.

It is noted that, but for the non-response of NYS DEC, this first wetland disturbance area would likely have been a state regulated wetland as it is contiguous to state wetlands in the Town of Ulster that DEC did take jurisdiction over. The Planning Board's consultants have recommended that the culvert design is not substantially mitigative to address the potential for environmental impacts along the proposed new roadways. Where DEC does take jurisdiction of wetlands, a commonly preferred wetland crossing mitigation is to span a distance equal to a minimum of 1.25x the normal width of the wetland in the area of the crossing and to utilize an open bottom box culvert. This reduces impact to wildlife utilizing the wetland. This type of crossing has not been prescribed by the applicant. It is noted that this wetland is located along a long, deep linear ravine linking areas of expansive contiguous open space north and south of the proposed development. The filling of these wetlands in the manner prescribed may constitute a significant adverse environmental impact.

As noted previously, the proposed cul-du-sac road location towards the south of the site was adjusted to avoid areas requiring drastic grading near the ravine along the western property boundary. In order to significantly reduce grading in this area, a 0.08 acre wetland crossing is required to access the southernmost areas of the Site. Notably, however, when combined with the other minor disturbance, the combined total is still under the ACOE generally accepted threshold for requiring mitigation. Similarly to the entrance, the culverts will consist of a combination of arch culverts and pipe buried 20% to mimic existing conditions and promote wildlife crossings. Again, the proposed culvert design will further ensure the hydraulic linkage is maintained between the wetland areas on either side of the crossing.

This wetland area is also located along a ravine also linking larger areas of undisturbed forested open space north and south of the site.

There will be no homes or other impervious surfaces, except for the approximately 0.1 acres necessary to construct the access roads, built within any identified wetlands on the Ulster Parcel.

⁵ All home sites are over 50 feet from any wetland, and all but approximately 6 home sites are over 100 feet from a wetland.

The Town Engineer has identified that significant changes to the stormwater system are required. At this time, he cannot verify whether stormwater systems will result in significant adverse impacts to wetlands by redirecting stormwater away from wetlands and affecting wetland hydrology.

The Town Engineer has opined that on-site soils may not be adequate for proposed individual septic systems. Such systems if installed in inadequate soils and located near and upgradient from wetlands could impact wetlands. However, if such systems are inadequate it is likely that a community septic system would be required and the current proposal would not be viable.

For the Woodstock Parcels, the Applicant initially sought to avoid disturbances to the wetlands, watercourses and buffer areas altogether by leaving the existing 3,720 linear feet of Eastwoods Drive “as is”. It was within the Town of Woodstock Zoning Enforcement Officer’s (ZEO) discretion to allow the road to remain “as is”, and if he had, no disturbances to wetlands, watercourses and buffer areas in the Town of Woodstock would have been required. However, the Town of Woodstock ZEO issued a determination dated May 24, 2024 requiring Eastwoods Drive to be improved to a uniform width of at least 20 feet, necessitating 20,440 SF (0.46 acres) of wetland buffer disturbances, and 125 SF (0.003 acres) of direct watercourse and 300 SF (0.007 acres) of direct wetland disturbances (the direct disturbances are only to repair existing culverts that are failing and in need of replacement) to widen portions of Eastwoods Drive to the ZEO-required 20 feet.

The NYSDEC has determined that there are wetlands that will be regulated under 6 NYCRR Part 664, freshwater wetland jurisdiction for parcels 38.2-1-44 and 38.2-1-38.100 in Woodstock. The wetlands associated with these parcels were already subject to the Town of Woodstock Wetlands and Watercourse protection standards. The NYSDEC central office has determined that there are no DEC regulated wetlands under 6 NYCRR Part 664, freshwater wetland jurisdiction for parcel 38.2-1-43. The Applicant will apply for an Article 24 Wetland Permit from the NYSDEC for adjacent area impacts associated with the road widening along Eastwoods Drive on parcel 38.2-1-44. No NYSDEC permit will be required for parcel 38.2-1-38.100.

Nonetheless, to address the Town of Woodstock required disturbances, the Applicant is proposing the following avoidance measures in response to concerns raised during the Project review:

Temporary:

- Temporary sediment and erosion controls (silt fencing) during construction (*see* compliant SWPPP, prepared by MJ Engineering and Land Surveying, P.C., dated July 17, 2025).

Permanent:

- Planting of native shrubs in vicinity of encroachment areas for foraging and potential nesting habitat for birds;
 - High bush blueberry (*Vaccinium corymbosum*), nannyberry (*Viburnum lentago*), and arrowwood (*Viburnum dentatum*) or similar native species which will be locally sourced from a greenhouse or nursery in the region.
- Installation of amphibian crossing signs;
- Posted speed limits;
- Use of pollinator seed mix (Hudsonia/Town of Woodstock approved);

- Establishment of a construction protocol to clean equipment and reduce invasive species spread and remove and dispose of non-native and invasive species found within the construction limits;
- Use of grass filter strips along the road to remove and trap sediment (*see Gesford and Anderson 2007*).
- Natural bottom or arched culverts to facilitate amphibian movement under the road and provide additional flow paths during periods of high water, with added drift fences to guide wildlife to the culverts.
- A Stormwater Pollution Prevention Plan that includes grass filter strips and swales, providing multi-stage treatment that slows flow, promotes infiltration, and removes sediment which will collect and treat runoff and protect the buffer function long-term.
- Improvement of the road to the north, which is away from the identified wetlands to the south.
- Installing orange construction fencing around the wetlands before the beginning of construction to clearly delineate the wetland boundaries and prevent disturbance thereto.
- Adding Little Bluestem to the planting of native shrubs in vicinity of encroachment areas for foraging and potential nesting habitat for birds.
- Addition of a natural bottom or arched culvert on the road extension area.
- Permanent inclusion of filter socks to reduce fine sediment from roadway runoff entering adjacent wetlands and buffer areas.

Moreover, in Woodstock the new 1,200-foot road extension avoids any wetlands, wetland buffer areas and watercourses. Indeed, the proposed road extension predominately follows an existing driveway to an existing home on parcel 38.2-1-39.

Wetland disturbance associated with construction in the Town of Woodstock is anticipated to be limited. The project proposes incorporating significant measures to mitigate impacts related to the modest widening of the existing private road by a few feet.

h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies; &

i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.

The Project Sponsor proposes to comply with the New York State Department of Environmental Conservation (NYSDEC) General Permit GP-0-20-001. The peak rate of runoff from the entire Project Site will not increase when compared to the pre-development condition for all storm scenarios. With approval of a SWPPP by the Ulster Town Engineer, it is likely that the project will not have an adverse impact on adjacent properties and/or downstream areas or receiving waterbodies/watercourses from increased runoff. The Applicant proposes roadside swales and detention basins in Ulster to temporarily detain and infiltrate stormwater run-off during storm events and slowly release and/or infiltrate stormwater after the storm event. **The Ulster Town Engineer has indicated that changes to the stormwater management system are necessary.**

Proposed sediment and erosion controls are proposed along Eastwoods Drive in the Town of Woodstock to direct roadway runoff into vegetated areas along the northern roadside. These areas, which include grass filter strips and swales, provide multi-stage treatment that slows flow, promotes infiltration, and

removes sediment. The pre-treated runoff is then conveyed through cross culverts beneath the road toward nearby wetlands in a way that protects hydrology and minimizes erosion. In addition, in response to concerns raised during the review, the Applicant is further proposing silt fencing and filter socks be installed along these areas adjacent to the wetlands along Eastwoods Drive during construction and the filter socks can remain in place thereafter to reduce fine sediment from roadway runoff. The Project can also include a maintenance plan with routine inspections and removal of accumulated sediment from the filter strips, silt fencing and filter socks to ensure continued effectiveness. Filter strips will be planted with resilient vegetation to maximize filtration capacity. Collectively, these measures will prevent sediment transport into the adjacent wetlands. **For the portion of the existing roadway in the Town of Woodstock the Project will result in an improvement over existing conditions, which provides little to no stormwater treatment before entering the wetlands.**

During construction, the Applicant will also comply with the BMPs outlined in the SWPPP which will further ensure wetlands are adequately protected in both jurisdictions (*see* Section 1). There will be no use of pesticides or herbicides in or around any water body of the Project Site, nor does the proposed action require construction of a new wastewater treatment facility.

a. The proposed action may create a new water body.

The Project incorporates detention basins in Ulster which are designed to temporarily detain and infiltrate stormwater run-off during storm events and slowly release and/or infiltrate stormwater after the storm event. The detention basin near the recreation lot is proposed to be lined, and a dry hydrant will be installed to provide an additional water source for fire response. **No significant adverse impacts are anticipated from creating this new surface water feature.**

Impact on Groundwater

a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells;

b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer; &

c. The proposed action may allow or result in residential uses in areas without water and sewer services.

The Proposed Action will utilize new water supply wells. The total estimated demand will be typical at approximately 440 gallons per day (gpd) per single-family detached lot (13,220 gpd for the entire Project). Additionally, the Applicant has provided a Hydrogeologic Evaluation prepared by James, Gironda, Professional Geologist and Senior Hydrologist at Hanson Van Vleet, PLLC (*see* Appendix: Exhibit B to December 16, 2025 submission). As concluded in the Evaluation, based on the hydrogeologic setting of the Site and surrounding area, the proposed Project water withdrawal is achievable without risk to adverse impacts to existing offsite water supplies. Notably, the estimated maximum demand used in the report assumed a peaking factor of two times the estimated average demand of the project.

The nearest density of wells to the Site are 1,400 feet and greater to the northwest. However, the fracture traces on the site run northeast to southwest, strongly indicating that there is not a direct hydraulic connection to the closest wells to the northwest of the Site in the Town of Woodstock. Accordingly, the Project is not likely to affect these existing wells. Any wells with the potential for a hydraulic connection along the northeast to southwest fracture traces are located nearly one mile from the Site, greatly limiting the potential for significant impacts.

In addition, the Project intends to incorporate water conservation measures including water efficient plumbing fixtures and appliances that shall meet the following limits:

- kitchen faucets 1.5 gpm;
- lavatory faucets 1.5 gpm;
- showerheads 1.75 gpm;
- toilets 1.28 gpf;
- clothes washers Integrated Water Factor 3.0;
- dishwashers 2.9 gallons per cycle. (See Sustainability Narrative)

These performance levels are consistent with, and in most cases meet or exceed, the U.S. Environmental Protection Agency's WaterSense standards (see EPA WaterSense Program, 2025), further ensuring long-term efficiency and reduced demand on groundwater resources.

Additionally, all installed landscaping will have low to moderate water demand.

No hazardous materials or pesticides/herbicides are proposed for operation.

Although additional information including pump tests will be required to verify the tabletop analysis provided, the Town Engineer has not anticipated any impacts to groundwater resources. In the event that actual tested yields are not adequate a project redesign may be required.

d. The proposed action may include or require wastewater discharged to groundwater.

Most importantly, the construction of water wells and septic on respective lots within the subdivision will comply with and be approved by the Ulster County Department of Health (DOH) requirements. Accordingly, no wastewater will be discharged to groundwater.

The Town Engineer has noted that the current plan for treating wastewater is not workable. The Town Engineer has further noted that perc tests will be required to determine whether a community septic system will be required. If required, significant project redesign will need to occur.

Impact on Plants and Animals

- a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site;
- b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government;
- c. The proposed action may cause a reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site;
- d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government; &
- g. The proposed action may substantially interfere with nesting/breeding, foraging or over-wintering habitat for the predominant species that occupy or use the project site.

The applicant proposes culverts for the wetland roadway crossings that will consist of a combination of arch culverts and pipe buried 20% to mimic existing conditions and promote wildlife crossings, particularly amphibians. While these are an adequate approach to improve the existing road crossings in the Town of Woodstock, **the Lead Agency's consulting ecologists do not believe this is an adequate mitigation to resolve potential significant adverse impacts to the new disturbed wetland areas in the Town of Ulster.**

The Applicant also conducted a Habitat Survey Report for the Project Site. The Habitat Survey Report, prepared by LaBella Associates, D.P.C. (LaBella), studied the entire 121.04 acre project area. Materials and literature supporting this investigation are derived from a number of sources, including: USFWS list of protected species that may occur at the Study Area (letter dated July 8, 2025); NYSDEC Environmental Resource Mapper for protected wildlife, plants, and significant habitats in the vicinity of the Study Area (NYSDEC, 2025B); NYSDEC Environmental Assessment Form (EAF) Mapper (NYSDEC, 2025A); United States Geological Survey (USGS) topographic mapping; New York Natural Heritage Program (NYNHP) report on state listed species (December 6, 2023); NYNHP New York State December 2024 Rare Plant Status Lists (Ring, 2024); and the NYNHP October 2017 Rare Animal Status List (Schlesinger, 2017). There are no mapped NYNHP significant natural communities on or within the vicinity of, the Study Area. Similarly, there are no USFWS critical habitats within the Study Area.

The Project Site was reviewed by LaBella during multiple site visits, as well as the Town of Woodstock environmental consultant, Hudsonia, to determine the potential presence of suitable habitat for listed species within the vicinity of the Study Area. (See Habitat Survey Report).

The identified species and relevant avoidance measures are as follows:

- *Buteo Lineatus* Red-Shouldered Hawk:
 - The Red-Shouldered Hawk is not a state or federally listed threatened or endangered species, but is listed by NYSDEC as a species of "special concern", and the Applicant has added an analysis to the Habitat Survey Report due to concerns raised during the review. Hudsonia observed this species in March of 2025 during their field assessment. Hudsonia

had also observed red-shouldered hawks in 2012 when they were on the Project Site as part of the townwide habitat mapping exercise, in relation to proposed logging. Logging occurred between 2012-2014 and the hawks were able to adapt to that disturbance. At the Town of Woodstock Planning Board meeting on November 6, 2025 Hudsonia confirmed that “birds can shift their habitat during disturbance”. **Based on the advice of the project-sponsor’s ecologist and concurrence with the Ulster Planning Board ecologist, impacts to Red-Shouldered Hawk are unlikely.**

- *Haliaeetus leucocephalus* Bald Eagle:
 - The NYSDEC provided a Jurisdictional Determination on August 20, 2024 that the Project, as proposed, is not likely to impact Bald Eagles and no further review is necessary for that species. An additional Bald Eagle nest was located on LaBella’s July 18, 2025 site visit. The NYSDEC does not appear to have a record of this nest. When LaBella Associates evaluated this potential nest location, a nest was observed and a GPS coordinate was collected. A confidential map has been prepared with this new nest location including the 660 foot and 1,320 foot buffers that would apply. These buffers are outside of our Study Area and the confidential map has been provided to both the Town of Woodstock and Town of Ulster. The figure and photos of the nest were provided to the NYSDEC on July 28, 2025 to request a determination of No-Take based on buffers being outside of the Project parcels as proposed and that no blasting is proposed. The NYSDEC had not acknowledged or responded to our request which was re-sent on August 12, 2025 and September 15, 2025. The NYSDEC responded on September 16, 2025 that this nest record has been received and is being incorporated into their mapping. The department is now working on a revised JD response based upon this new nest incorporating the avoidance information the Applicant already provided. The Applicant expects an additional no-effect Jurisdictional Determination to be issued given the nest’s location outside of any buffer areas. **Based on the advice of the project-sponsor’s ecologist and concurrence with the Ulster Planning Board ecologist, impacts to Bald Eagle are unlikely.**

- *Myotis septentrionalis* Northern Long-eared Bat:
 - The Northern Long Eared Bat “Not Likely to Adversely Affect Letter” was received from the USFWS on July 8, 2025. The Applicant will mitigate any potential for impacts on the NLEB with winter tree removal between November 1 and March 31. **Based on the advice of the project-sponsor’s ecologist and concurrence with the Ulster Planning Board ecologist, impacts to Northern Long-Eared Bat are unlikely.**

- *Myotis sodalis* Indiana Bat
 - Winter tree removal, between November 1 and March 31, avoid any potential direct impacts to Indiana bats (while Indiana bats are hibernating and not active on the landscape). This mitigation is commonly accepted and recognized as sufficient to remove the potential for any negative impacts. **Based on the advice of the project-sponsor’s**

ecologist and concurrence with the Ulster Planning Board ecologist, impacts to Indiana Bat are unlikely.

- *Perimyotis subflavus* Tricolored Bat
 - While the species is not currently listed by USFWS or protected under NYSDEC, the Applicant will only engage in winter tree removal, between November 1 and March 31, to avoid any potential impacts to the Tricolored Bat. Based on the advice of the project-sponsor's ecologist and concurrence with the Ulster Planning Board ecologist, impacts to Tricolored Bat are unlikely.
- *Danaus plexippus* Monarch Butterfly
 - The Monarch Butterfly is currently unlisted statewide and unlisted federally. Due to the status, there are no USFWS Section 7 requirements for the monarch butterfly at this time. The Study Area contains maintained roadside which could be used by butterflies, this includes approximately 170 feet of existing runway/mowed field that is not currently surrounded by forest. Milkweed was observed in five (5) new patches along Eastwoods Drive and the runway on July 18, 2025. The proposed Project will have no effect on monarch butterflies as roadside edge habitats will remain, and can be supplemented with seeding as required. Furthermore, any mowing carried out by the Applicant or their maintenance personnel will avoid these patches where possible during the active season from May 15 –October 15. Based on the advice of the project-sponsor's ecologist and concurrence with the Ulster Planning Board ecologist, impacts to Monarch Butterfly are unlikely.
- *Threatened, Endangered, or Rare Plants*
 - No threatened, endangered, or rare plants were observed during the Applicant's investigation.

The Applicant further conducted Amphibian Migration Surveys. A total of four field surveys were conducted in March 2025 to document amphibian movement along existing and proposed roads for the Project. Surveys occurred on warm, rainy nights when amphibians were most likely to be migrating from their upland, overwintering areas down to woodland breeding pools. Surveys were focused on three areas in the Town of Woodstock where amphibian migration was most likely to occur: two areas along Eastwoods Drive (Area 1 and Area 2) and one area where a road is proposed, which would be an extension of Eastwoods Drive (Area 3).

Surveys were performed on the evenings of March 5, 16, 20, and 31, 2025. Each survey took place on nights flagged by NYSDEC's Amphibian Migrations and Road Crossings Project as having potential for amphibian movement due to forecasted weather conditions being favorable for migration. Over four surveys, LaBella observed a total of 64 amphibians and identified the following species: green frog (*Lithobates clamitans*), wood frog (*Lithobates sylvaticus*), American toad (*Anaxyrus americanus*), spring peeper (*Pseudacris crucifer*), spotted salamander (*Ambystoma maculatum*), red-backed salamander

(*Plethodon cinereus*), and eastern newt/red eft (*Notophthalmus viridescens*). None of the species observed are included on the List of Endangered, Threatened and Special Concern Fish and Wildlife Species of New York State as of April 9, 2025, which is the most recent effective date for this list.

These surveys revealed limited amphibian movement along Eastwoods Drive, mainly concentrated near the intersection with Zena-Highwoods Road. Species observed are common species expected to be found during amphibian migration. No unusual species were observed. While amphibian movement does occur along Eastwoods Drive, this location does not appear to be a hotspot of spring migration, as compared to adjacent roads and other roads within northern Ulster County. Anecdotally other survey locations saw more crossings during the same nights that were surveyed at Eastwoods Drive according to the NYSDEC AM&RC notifications LaBella received by email. Nonetheless, the Applicant is proposing to install amphibian crossing signs and speed signs along Eastwoods Drive and to install natural bottom/arched culverts with added drift fences to guide wildlife to the culverts to facilitate amphibian crossing under the road as avoidance or minimization measures.

h. The proposed action requires the conversion of more than 10 acres of forest, grassland, vernal pools or any other regionally or locally important habitat.

The applicant has noted that the property had been logged between 2012-2014. The information related to the logging is provided in the Appendix, Exhibit A to the November 17, 2025 submission. It is noted that this logging does not indicate that the project site does not have habitat value. Selective thinning was conducted pursuant to a forest management plan over a multi-year period can increase the habitat value of forests for a number of species.

The Habitat Survey Report studied the entire 121.04-acre project area and LaBella did not observe felled trees or additional removal of the tree canopy due to increased windload/windthrow on the remaining strands of trees from the prior logging activity. Accordingly, based on the historical lack of an impact, additional tree canopy impacts from windthrow are not expected from the limited disturbance caused by the Project.

As described by the applicant, the project site is comprised of predominately forest habitats, mostly Hemlock-Northern Hardwood Forest, Red Maple-Hardwood Swamp and Successional Northern Hardwoods. The Planning Board's ecologists find the forested habitat to be quality forest interior habitat and as such, the potential impacts resulting from the direct loss, fragmentation, and loss through the creation of forest edge habitat need to be thoroughly considered.

The NYSDEC Forest Condition index for the Hudson River Estuary Watershed has identified the project location as being within a forest patch that scores within the top 1% for habitat diversity and top 5% for patch size, edge area ratio, and local connectedness. The NYSDEC identifies forests within the Hudson River Estuary as "a critical component of healthy watersheds, and have tremendous ecologic and economic value. They provide habitat for wildlife and plants, protect water and air quality, mitigate the effects of climate change, and provide opportunities for outdoor recreation and the forest products industry. While approximately 65% of the Hudson River estuary watershed is forested, the condition of that forest land is variable, with only about half meeting the criteria of higher-quality, intact core forest."

Additionally, the project site is located within an area identified by the NYSDEC as “Hudson Valley Core Forest” providing important habitat for sensitive wildlife. Additionally, the project site lies within a NYSDEC identified habitat patch in excess of 500 acres, therefore providing enough suitable habitat to support a “diversity of interior forest species.” NPV’s request for additional information regarding habitat-type acreage tables and classifications as well as a detailed breakdown of habitat losses is aimed at providing further understanding of how the fragmentation, direct and indirect loss of this landscape may affect the habitat quality and quantity across this project site and in relation to the larger overall forest patch. To date, the applicant has not provided a complete analysis of the potential impact of the loss of high-quality forest interior habitat on the broader category of wildlife species that may rely on the forest interior habitat. As stated in the NPV memo dated February 5th “the amount of total disturbance is often not as critical as the analysis of where disturbance will occur in terms of habitat type, quality and location relevant to the functioning of the surrounding ecosystem.” **Based on the information reviewed to date, the Planning Board’s consulting ecologists believe that the fragmentation of high quality, forest interior habitat would constitute a significant adverse environmental impact.**

While the project sponsor has noted that the forest had been previously logged and is “second growth,” this seems to have been accomplished according to a forest management plan from 2012, which prescribed “thinning” through 2016. It is not clear which cuttings were performed based on that plan. Carefully planned and executed select cutting through a forestry management plan and/or logging permit is intended to result in a healthy forest as a long term goal.. The DEC Hudson Estuary Report’s identification of the site as high-quality habitat was based on imagery that would have occurred following the site logging prescribed by the provided plan. During the site visit, NPV did not observe damage to the quality of the habitat from logging.

The applicant has also provided examples of other developments in the area that may fragment the particular core forest that the project site is located in. Those other developments are generally on the periphery of the core forest and in one cited instance, only a minor development of three homes is proposed. By comparison, the proposed development extends into the high-quality Core Forest with no development proposed in the Town of Woodstock. This causes what is essentially a “donut hole” of development accessed via a site access road. It is not clear whether this impact can be mitigated via project design.

j. Significant disturbance to wetland/stream corridors at road crossings of “gullies”

See Impact to Surface Water Resources, regarding identified Significant Adverse Impacts identified from filling of wetlands in “gullies.”

Impact on Aesthetic Resources

a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource;

c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year Round;

d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work, ii. Recreational or tourism based activities; &

e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.

The Project proposes to utilize and benefit from substantial existing vegetation on and around the Site. Indeed, no structure on the Site will exceed 35 feet in height, which is shorter than the existing tree line, which will be maintained to screen the Project Site from any publicly available vantage point. Furthermore, the proposed home locations are located in flat, low-lying areas of the Site's topography, further reducing the potential for any aesthetic impact. In addition, the Applicant prepared an aerial rendering (see Appendix: Exhibit E to May 28, 2024 submission) which confirms that the Project will substantially conform with existing single family residential developments in the area, namely limiting tree clearing around the building envelope with a majority of the area's forest cover preserved. The Applicant also provided a Viewshed Analysis, specifically to address concerns about Project visibility raised during the review, prepared by Saratoga Associates, dated November 24, 2025, which confirms the Project will not be visible from any off-site vantage point (see Appendix: Exhibit A to December 16, 2025 submission).

The Site is not located in any Town of Ulster or Town of Woodstock designated scenic or other overlay district.

Overall, the Project will not meaningfully alter or adversely impact existing views of the Site.

Impact on Historic and Archaeological Resources

a. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archeological sites on the NYS State Historic Preservation Office (SHPO) archaeological site inventory.

The New York State Office of Historic Preservation (SHPO) issued a "No-Effect" Letter, dated April 26, 2024, confirming the Project will not impact any historic or archaeological resources (see Appendix: Exhibit D to May 28, 2024 submission). SHPO issued its "No-Effect" Letter after review of the Applicant's Phase 1A/1B Archeology Report, prepared by Hudson Cultural Services, revised March 2024 (see Appendix: Exhibit D to July 30, 2024 submission).

Impact on Open Space and Recreation

d. The proposed action may result in loss of an area now used informally by the community as an open space resource.

The Proposed Action will not result in a loss of recreational opportunities, or a reduction of open space resources as designated in any adopted open space plan. The Project Site does not include any designated open space or recreational resources.

Nor will the single-family residential subdivision negatively affect any adjacent publicly or privately accessible recreational resources. To address any potential for an impact, the Applicant has modified the Project to remove the outdoor recreation amenities (i.e., the 2 pickleball courts/tennis court) on the recreation lot which is adjacent to the Israel Wittman Sanctuary owned by the Woodstock Land Conservancy (Land Conservancy) to the north to specifically address the Land Conservancy's cited concerns about the potential noise impacts. The Israel Wittman Sanctuary provides three mile-long, walkable, bike-able trails that are open to the public, and the Applicant made the change to the Project to specifically address issues raised during the review. **See section "Impact on Land" regarding potential noise impacts during construction.**

Similarly, the Applicant has modified the Project further to propose lot transfer with the Ruby Rod & Gun Club (Club) to transfer 2.34 acres to the Club in order to connect two previously unconnected parcels owned by the Club. This to mitigate any potential impact from the construction of homes adjacent to Club owned property in accordance with the Environmental Conservation Law (ECL). The ECL restricts the discharge of firearms within a certain distance of homes, which here amounted to approximately 21 acres of the 440 owned by the Club (or 4.8% during hunting season). This Project modification was specifically incorporated to address this issue raised during the review and now the Club will have direct access to a 35.44-acre lot that was previously unconnected to the remainder of the Club's parcelage (see Appendix: Exhibit B to July 30, 2024 submission).

As noted in Section 9, the Project will not be visible from any off-site vantage point.

a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.

Impacts to stormwater storage are detailed under "Impact on Land." Impacts to nutrient cycling abilities will not be significant as only 5 acres of 106.6 acres are proposed for permanent conversion to impervious surfaces. Impacts to wildlife habitat are detailed under "Impact on Plants and Animals."

Impact on Critical Environmental Areas

- a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA; &
- b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.

The Woodstock Parcels are located within the Zena Woods Critical Environmental Area (CEA), designated July 5, 2023. No CEA exists in the Town of Ulster where a majority of the Project (i.e., the construction of 30 homes) is proposed. Thus, the only portion of the Project Site within the CEA is the existing portion of Eastwoods Drive and the 1,200 foot extension to reach the Ulster Parcel.

The SEQR Handbook provides that a CEA alerts project sponsors to an agency's concern for the resources and dangers contained in the CEA, and once designated, the potential impacts on the characteristics of the CEA become relevant areas of concern that warrant specific consideration in reaching a determination of significance. Importantly, the Handbook also makes clear that CEAs are not a development control mechanism, their designation does not create new restrictions or prohibit otherwise allowable development.

The Zena Woods CEA was designated for its "exceptional and/or unique environmental characteristics. The CEA encompasses upland forests, shrublands, meadows, forested swamps, vernal pools, ponds, marshes, many small streams, and a segment of the Sawkill".⁶ The Project utilizes an existing roadway and only requires a 1,200-foot extension to reach the Town of Ulster, which extension predominantly follows an existing driveway. Therefore, the Project minimally encroaches on the upland forest. Furthermore, upgrading and extending Eastwoods Drive is the only proposed construction in Woodstock, leaving the balance of the Woodstock CEA untouched. The new road extension avoids any wetlands or wetland buffer areas in Woodstock, and the Applicant has proposed extensive mitigations for the required buffer disturbances (and direct disturbances which are limited to repairing existing culvers which are in disrepair and need of replacement) to upgrade Eastwoods Drive (see Impact on Surface Water). The nearest Project disturbance is located over 2,000 feet from the Sawkill.

Given that the Project construction that is occurring within the Woodstock CEA is limited to improvement of an existing roadway and its extension only 1,200 feet over a parcel that includes an existing FAA airstrip, the unique environmental characteristics of the CEA will largely be preserved.

For the reasons discussed, the Project is not expected to result in a significant adverse impact to the resources identified by the CEA in the Town of Woodstock.

⁶ <https://dec.ny.gov/news/environmental-notice-bulletin/2023-07-05/designation-of-critical-environmental-area>

Impact on Transportation

Projected traffic increase may exceed capacity of existing road network.

As noted in the Applicant's Traffic Impact Analysis, the Project will result in fewer than 100 peak hour vehicle trips per hour, which, as noted by the NYSDEC SEQR Workbook, does not result in a significant increase in traffic. The analysis was conducted according to industry standards and used data from the Institute of Transportation Engineers (ITE) publication for single-family detached housing, which includes homes of various number of bedrooms and number of occupants of driving age, and number of cars. The trip generation rates reflect observed averages from a broad sample of similar developments and inherently account for variations in household size and vehicle ownership. Indeed, the analysis concluded that the Project will not have a significant traffic impact on the adjacent roadway network.

Furthermore, the analysis is conservative, studying nearly doubled the number of homes actually proposed, and the Town of Woodstock's traffic consultant Stephan A. Maffia, P.E., in a memorandum dated March 21, 2025, concurred with the Applicant's Traffic Impact Analysis that the proposed Project will not have a significant traffic impact: "The Level of Service analyses and summarized results are acceptable. Peak hour LOS are generally in free flow condition with no changes expected due to increases in traffic from the proposed development." The 56 residential units studied (even though only 30 are proposed) will generate only about one new trip every 2 to 6 minutes either entering or exiting the site during peak hours. The lack of a traffic impact was further confirmed by the Town of Woodstock traffic consultant again in a memorandum dated August 12, 2025 as well as at the Town of Woodstock's August 21, 2025 Planning Board meeting.

The Applicant further prepared a sight distance analysis at the request of the Town of Woodstock Planning Board for the existing intersection of Eastwoods Drive and Zena Highwoods Road. The results of the sight distance analysis for the existing intersection demonstrate that the stopping sight distances exceed the recommended AASHTO standards and no traffic safety improvements are required. While the intersection sight distance looking left from Eastwoods Drive is less than the AASHTO desirable value, it is not critically limited. Therefore, no action is necessary for Project approval.

Although no improvements are required, the Applicant supports the Town's consideration of installing an Intersection Warning Sign on Zena-Highwoods Road to further enhance driver safety.

The Project is not anticipated to have a significant adverse impact on traffic operations in the area.

Impact on Noise, Odor and Light

a. The proposed action may produce sound above noise levels established by local regulation.

The Project is isolated and well screened within the existing Site. The topography and location of the proposed home sites further enhance the isolation of potential sound and lighting. The Applicant has also removed outdoor recreation amenities originally proposed (i.e., the 2 pickleball courts/tennis court) for the recreation lot in response to the Woodstock Land Conservancy's cited concerns about the potential noise impacts.

There is no reason to anticipate noise impacts from the operational phase of the project. Noise impacts from construction phases are addressed in the "Impacts to Land" section.

d. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.

The subdivision plans contain photometric lighting plans (Sheets C108) demonstrating that lighting from the proposed recreation parcel will not shine onto adjoining properties. Additionally, as previously noted, all light fixtures on the recreation lot and homes are proposed to be dark sky compliant.

With the applicant's commitment to dark-sky compliance and with incorporation of appropriate map notes, no sky-glow impacts are anticipated.

17. Consistency with Community Plans

c. The proposed action is inconsistent with local land use plans or zoning regulations.

The Project is a permitted use in both towns, is fully zoning complaint, and does not require any variances.⁷ The project is therefore consistent with zoning regulations. Both Towns' applicable zoning districts permit single- family residences.

For this area of the Town, the Comprehensive Plan makes the following recommendations:

- Create Ridge Protection Overlay District
- Encourage use of cluster subdivision provisions
- Limit development to very low density land uses
- Do not extend water or sewer infrastructure

Only the second and third bullets would apply to this private development project. With regard to density, the 60,000 square feet per lot required by zoning, would constitute the "very low density" prescribed by the Town. While cluster subdivision is encouraged, the applicant has stated they are not interested in pursuing such a subdivision plan. It is noted that while the project is not a "cluster subdivision," the

⁷ The Land Conservancy challenged the permissibility of the Project in the Town of Woodstock and the Town of Woodstock ZBA upheld the Town of Woodstock ZEO's determination permitting the project, subject to the identified permits and approvals. The limitations period to challenge the Woodstock ZBA's decision has long expired.

applicant does propose development to be clustered nearest to the available site access from the Town of Woodstock. This preserves more land as open space in the southern half of the site.

The applicant's proposal does not constitute an inconsistency with the Town's land use policy.

a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).

The proposed project proposes a standard subdivision layout with homes fronting on a standard conforming subdivision street. This is different than the predominant character of the area. Homes in this area are mostly located off substandard roads, with long driveways, that can better adapt to the rolling terrain and steep slopes. By contrast most of the grading required for construction of the proposed subdivision is required to meet Town and State code requirements for maximum grade and paved width. Incredibly, the proposed 24-foot paved code compliant roadways are proposed to be accessed from an existing gravel road cul-de-sac of more than half a mile, which is only proposed to be widened to 20'. This existing widened gravel road, is in turn accessed from an existing Woodstock Town Road that frequently chokes down to 18' and less.

It is noted that the applicant's proposal to meet Town and State codes to the greatest extent practicable, though in sharp contrast to other area development, is intended to better comply with Town and State policies. The applicant has stated a willingness to narrow the road further if relief from strict code compliance is made available. No significant impact from development in sharp contrast to the current surrounding land use pattern is anticipated.

e. The proposed action may cause a change in density of development that is not supported by existing infrastructure or is distant from existing infrastructure; &

f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.

No new or expanded public infrastructure is proposed. The Project will use onsite well and septic facilities and the existing roadway network will accommodate additional traffic demand. No new electric transmission infrastructure or upgraded substation is required.

Consistency with Community Character

f. Proposed action is inconsistent with the character of the existing natural landscape.

See response to "Consistency with Community Plans" regarding contrast to surrounding land use pattern. See response to "Impacts to Plants and Animals" regarding consistency with existing natural landscape. Generally, the project will not be visible from substantial public viewpoints. The project is therefore not anticipated to have a significant adverse impact on Community Character.

Impact on Disadvantaged Communities

The NYSDEC Disadvantaged Community Assessment Tool (“DACAT”) has identified the Ruby census tract 36111951500, which includes the Ulster Parcel only, as a Disadvantaged Community (“DAC”) having comparatively lower existing burdens or vulnerabilities. A DAC having a comparatively lower existing burdens therefore also has a decreased likelihood that a proposed action may have a moderate or large impact on the DAC.

As demonstrated above, the Project will not have an increased pollution burden on the environment as it will not create new or increase air emissions, wastewater treatment, solid or hazardous waste management.⁸ Thus, the Project does not have an impact on Disadvantaged Communities.

⁸ See Regulatory Impact Statement, NYDEC January 29, 2025, page 10.

APPENDIX
Materials Considered in Preparing the Narrative

<u>DATE</u>	<u>ACTION</u>
3/25/24	<p>PLANNING BOARD SUBMISSION:</p> <ul style="list-style-type: none"> • C&F Cover letter • \$6300 check • Exhibit A – Application for Subdivision/Lot Line Revision • Exhibit B – Project Narrative (March 2024) • Exhibit C – Full EAF (3.22.24) • Exhibit D – Sustainability Narrative (March 2024) • Exhibit E – 3.21.24 LaBella Traffic Impact Analysis • Exhibit F – LaBella Habitat Survey Report (March 2024) • Exhibit G –US Fish and Wildlife NLEB No Effect Letter (1.19.24) • MJ Engineering SWPPP (3.22.24) • MJ Engineering Plans (3.24.24)
5/28/24	<p>PLANNING BOARD SUBMISSION:</p> <ul style="list-style-type: none"> • C&F Cover letter • Exhibit A - Official Town of Woodstock Zoning Enforcement Officer’s Determination, dated May 24, 2024. Also included is the March 26, 2024 E-Mail Correspondence from the Town of Woodstock Code Enforcement Officer and Applicant’s April 9, 2024 Request for Clarification on permits and approvals required • Exhibit B - Zena Homes Project Narrative, revised May 2024 • Exhibit C - Updated Full Environmental Assessment Form (FEAF), prepared by MJ Engineering and Land Surveying, P.C., revised May 25, 2024 • Exhibit D - SHPO No-Effect Letter, dated April 26, 2024 • Exhibit E - Aerial Rendering • Exhibit F - Bald Eagle Evaluation, prepared by Labella Associates, dated April 2024 • Exhibit G - Color Plan, prepared by MJ Engineering and Land Surveying, P.C., dated March 24, 2024, which was presented at the April 9, 2024 Planning Board meeting
7/30/24	<p>PLANNING BOARD SUPPLEMENTAL SUBMISSION:</p> <ul style="list-style-type: none"> • C&F Cover letter

<u>DATE</u>	<u>ACTION</u>
	<ul style="list-style-type: none"> • Exhibit A - Stamped Town of Woodstock Cover Letter • Exhibit B - Ruby Rod and Gun Club Firearm Buffer Plan, prepared by MJ Engineering and Land Surveying, P.C., presented at the July 9, 2024 Planning Board meeting and dated March 24, 2024; <ul style="list-style-type: none"> - The percentage (%) of Gun Club property area that will be restricted from discharging a firearm within 500 feet of a home is approximately 4.84% of the Club’s property.2 Only 0.9% and 0.2% of the Gun Club’s property will be restricted from discharging a cross bow or long bow, respectively. In addition, the main hunting season (deer) typically runs from October 1st to January 1st (i.e., 3 months of the year). • Exhibit C - Updated Full Environmental Assessment Form (FEAF), prepared by MJ Engineering and Land Surveying, P.C., revised July 29, 2024 • Exhibit D - Phase 1A/1B Archeology Report, prepared by Hudson Cultural Services, revised March 2024 <ul style="list-style-type: none"> - The SHPO No-Effect Letter, dated April 26, 2024, was provided with the May 28, 2024 submission as Exhibit D to that submission. • Exhibit E - Figure 5, prepared by MJ Engineering and Land Surveying, P.C., which clarifies only six (6) of the proposed thirty (30) lots could accommodate a 2-family dwelling (duplex)
12/13/24	PLANNING BOARD SUBMISSION – <ul style="list-style-type: none"> • C&F Letter
4/8/25	PLANNING BOARD SUBMISSION: <ul style="list-style-type: none"> • C&F Cover letter • \$240 Check – Application Fee • Exhibit A – Signed Application for Site Plan Approval • Exhibit B – NYSDEC Bald Eagle JD/Signoff (8.20.24)
5/2/25	C&F Letter to Town of Ulster PB/ZBA Secretary enclosing balance of application Fee
7/1/25	DEC SUBMISSION C&F Letter on SEQRA Lead Agency Dispute

<u>DATE</u>	<u>ACTION</u>
7/22/25	<p>PLANNING BOARD SUBMISSION:</p> <ul style="list-style-type: none"> • C&F Cover letter • Exhibit A - Response to Comment Letter, prepared by MJ Engineering and Land Surveying, P.C., dated July 11, 2025 • Exhibit B - NYS DEC Parcel JD Correspondence • Exhibit C - SHPO No-Effect Letter, dated April 26, 2024 (also provided as Exhibit D to our May 28, 2024 submission) • MJ Engineering SWPPP (7.19.25) • MJ Engineering Plans (7.19.25)
9/23/25	<p>PLANNING BOARD SUBMISSION</p> <p>** Note the purpose of this submission was to provide Ulster, as expected Lead Agency, all reports and studies provided to Woodstock so that Ulster could adequately review the whole action**</p> <ul style="list-style-type: none"> • C&F Cover Letter • Exhibit A - Response to Comment Letter, prepared by MJ Engineering and Land Surveying, P.C., dated September 23, 2025 • Exhibit B - Habitat Survey Report, prepared by Labella Associates, revised July 2025 • Exhibit C - Updated Norther Long Eared Bat “Not Likely to Adversely Affect” Letter, received from the USFWS on July 8, 2025 • Exhibit D - (1) Traffic Impact Analysis Response to Comment, prepared by Labella Associates, dated July 18, 2025, (2) Sight Distance Analysis, prepared by Labella Associates, dated September 17, 2025; (3) Stephan A. Maffia, P.E. (Town of Woodstock Traffic Consultant) Review Memo, dated March 21, 2025, and (3) Stephan A. Maffia, P.E. (Town of Woodstock Traffic Consultant) Review Memo, dated August 12, 2025 • Exhibit E - (1) Updated Wetland and Watercourse Mitigation Report, dated September 22, 2025 and (2) Woodstock Wetland and Watercourse Permit Mitigations Figure, prepared by MJ Engineering and Land Surveying, P.C., revised dated July 22, 2025 • Exhibit F -Confidential Bald Eagle Nest Map

<u>DATE</u>	<u>ACTION</u>
	<ul style="list-style-type: none"> • Exhibit G - Amphibian Migration Surveys, dated May 5, 2025 • Exhibit H - Labella Associates DEC Wetland Permitting Summary, dated July 16, 2025 and NYS DEC Parcel JDs for the Woodstock Parcels • Exhibit I - Response to Comment to Keller Letter, prepared by Labella Associates, dated July 23, 2025, and (2) Response to Hudsonia Comments, prepared by Labella Associates, dated June 30, 2025 • Exhibit J - Updated Project Narrative (September 2025) • Exhibit K -Draft EAF Part 2 and Part 3 • Exhibit L -State Environmental Quality Review Environmental Evaluation Narrative, dated September 22, 2025 • MJ Engineering Plans (9.23.25) • MJ Figures <ul style="list-style-type: none"> ○ Figure 1: Surrounding Facilities ○ Figure 2: Existing Topography ○ Figure 3: Existing Steep Slope Areas ○ Figure 4: Proposed Topography ○ Figure 5: Proposed Cut / Fill Analysis
11/7/25	PLANNING BOARD SUBMISSION <ul style="list-style-type: none"> • C&F Cover Letter
11/17/25	PLANNING BOARD SUBMISSION <ul style="list-style-type: none"> • C&F Cover Letter • Exhibit A – Response to NPV Habitat Survey Review Comments, prepared by LaBella Associates, dated November 17, 2025 • Exhibit B – Response to Hudsonia (i.e., Woodstock) Comment, prepared by LaBella Associates, dated November 14, 2025

<u>DATE</u>	<u>ACTION</u>
12/16/25	<p>PLANNING BOARD SUBMISSION</p> <ul style="list-style-type: none">• C&F Cover Letter• Exhibit A – Viewshed Analysis, prepared by Saratoga Associates, dated November 24, 2025• Exhibit B – Hydrogeologic Evaluation, Prepared by Hanson Van Vleet, PLLC, dated December 12, 2025• Exhibit C - Project Sponsor Draft Part 3, revised December 16, 2025 (update to Exhibit L from September 23, 2025 submission)• MJ Engineering Revised Plans (December 2025)